18

THE Perogative of Parliaments in ENGLAND.

PROVED

IN A DIALOGVE BETVVEENE A COVN. SELLOVR OF STATE, AND A IVSTICE OF PEACE:

Written by the worthy Knight, Sir WALTER RALEIGH.

Dedicated to the KINGS Majesty, and to *the House of Parliament now assembled.*

Preserved to be now happily (in these distracted Times) *Published.*

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UMI

To the KING.

Most gracious Soveraigne:

Those that are suppreſt and helpeleſſe are commonly ſilent wiſhing that the common ill in al ſort might be with their particular miſfortunes: which diſpoſition, as it is vncharitable in all men, ſo would it be in me more dogge-like then man-like, to bite the ſtone that ſtrooke me: (to wit) the borrowed authority of my Soveraigne miſinformed, ſeeing their armes and hands that flang it, are moſt of them already rotten. For I muſt confeſſe it ever, that they are debts, and not diſcontentments, that your Maieſty hath laid vpon me; the debts and obligation of a friendleſſe adverſity, farre more payable in all Kinds, then thoſe of the proſperous: All which, nor

the least of them, though I cannot discharge, I may yet endeavour it.

And notwithstanding my restraint hath retrenched all wayes, as well the wayes of labour and will, as of all other imployments, yet hath it left with me my cogitations, then which I haue nothing else to offer on the Altar of my Love.

Of those (most gracious Soveraigne) I haue used some part in the following dispute, betweene a Counsellour of Estate, and a Iustice of Peace, the one dissuading, the other perswading the calling of a Parliament. In all which, since the Norman Conquest (at the least so many, as Histories haue gathered) I haue in some things in the following Dialogue presented your Maiestie with the contentions and successes.

Some things there are, and those of the greatest, which because they ought first to be resolved on, I thought fit to range them in the front of the rest, to the end your Maiesty may be pleased to examine your owne great and Princely heart of their acceptance, or refusall.

The first is, that supposition, that your Maiesties Subiects giue nothing but with adiuction of their owne interests, interlacing in one & the same act your Maiesties reliefe, and their own liberties; not that your Maiesties piety was euer suspected, but because the best Princes are euer the the least iealous, your Maiestie iudging others by your selfe, who haue abused your Maiesties trust. The fear'd continuance of the like abuse may perswade the pro-

uision

viſion. But this caution, how euer it ſeemeth at firſt ſight, your Maieſty ſhall perceiue by many examples following but friuolous. The bonds of Subiects to their Kings ſhauld alwayes be wrought out of Iron the bonds of Kings vnto Subiects but with Cobwebs.

This it is (moſt renowned Soueraigne) that this trafficke of aſſurances hath beene often vrged, of which, if the Conditions had beene eaſie, our Kings haue as eaſily kept them; if hard and preiudiciall, either to their honours or eſtates, the Creditours haue beene paid their debts with their owne preſumption.

For all binding of a King by Law vpon the aduantage of his neceſſity, makes the breath it ſelfe lawfull in a King, His Charters and all other inſtruments being no other then the ſurviuing witneſſes of vnconſtrained will: Princeps non ſubjicitur niſi ſua voluntate libera, mero motu & certa Scientia: *Neceſſary words in all the grants of a King witneſsing that the ſame grants were giuen freely and knowingly.*

The ſecond reſolution will reſt in your Maieſty, leaving the new impoſitions, all Monopolies, and other grieuances of the people to the conſideration of the Houſe, Prouided, that your Maieſties reuenue be not abated, which if your Maieſty ſhall refuſe, it is thought that the diſputes will laſt long, and the iſſues will be doubtful: And on the contrary if your Maieſty vouchſafe it, it may perchance be ſtiled a yeelding, which ſeemeth by the ſound to braue the

But (most excellent Prince) what other is it to the eares of the Wise, but as the sound of a trumpet, having blasted forth a false Alarme, becomes but common ayre? Shall the head yeeld to the feete? certainly it ought, when they are grieved, for wisdome will rather regard the commodity, then obiect the disgrace, seeing if the feet lye in fetters, the head *cannot be freed, and where the feet feele but their owne paines, the head doth not onely suffer by participiation, but withall by consideration of the evill.*

Certainly the point of honour well weighed hath nothing in it to even the ballance, for by your Maiesties favour, your Majesty doth not yeeld either to any person, or to any power, but to a dispute onely, in which the Proposition and Minor proue nothing without a conclusiō, which no other person or power can make, but a Majesty: yea, this in Henry *the third his time was called a wisedome incomparable. For, the King raised againe, recouery his authority: For, being in that extremity as he was driuen with the Queene and his Children,* Cum Abbatibus & Prioribus satis humilibus hospitia quærere & prandia: *For the rest, may it please your Maiesty to consider that there can nothing befall your Maiesty in matters of affaires more vnfortunately then the summons of Parliament, with ill successe: A dishonour so perswasiue and adventurous as it will not onely find arguments; but it will take the leading of all enemies that shall offer themselues against your Maiesties estate.*

Le Tabourin de la paurete ne faict point de bruict: *of which dangerous diſeaſe in Princes, the remedy doth chiefly conſiſt in the loue of the people, which how it may be had and held, no man knowes better then your Maieſty; how to looſe it, all men know, and know that it is loſt by nothing more then by the defence of others in wrong doing. The onely motiues of miſchances that euer came to Kings of this Land ſince the Conqueſt.*

It is onely loue (*moſt renowned Soueraigne*) *muſt prepare the way for your Maieſties following deſires. It is* loue *which obeyes, which ſuffers, which giues, which ſticks at nothing: which Loue, as well of your Maieſties people, as the loue of God to your Maieſty, that it may alwayes hold ſhall be the continuall prayers of your Maieſties moſt humble vaſſall,*

Walter Ralegh.

A DIALOGVE BE-TVVEENE A COVN-SELLOVR OF STATE, AND A IVSTICE OF PEACE.

COVNSELLOVR, NOW Sir, what think you of M. S. *Iohns* tryall in Star-Chamber? I know that the bruit ranne that he was hardly dealt withall, becauſe he was impriſoned in the Towre, ſeeing his diſſwaſion from granting a Benevolence to the King was warranted by the Law.

IVSTICE. Surely Sir it was made manifeſt at the hearing, that M. S. *Iohn* was rather in love with his own letter; he confeſſed he had ſeene your Lordſhips letter, before hee wrote his to the Maior of *Marleborough*, and in your Lordſhips letter there was not a word whereto the Statutes by M^r. S^r. *Iohn* alleadged, had reference; for thoſe Statutes did condemne the gathering of money from the Subject, vnder title of a free gift; whereas a fift, a ſixt, a tenth, &c. was ſet downe and required. But my good Lord, though divers Shires haue giuen to his Majeſtie, ſome more, ſome leſſe, what is this to the Kings debt?

COVNS. Weo know it well enough, but we haue many other projects,

IVST. It is true my good Lord: but your Lordſhip will find, that when by theſe you have drawn many petty ſumms from the ſubjects, & thoſe ſometimes ſpent as faſt as they are gathered, his Majeſty being nothing enabled thereby, when you ſhalbe forced to demand your *great aide*, the countrey will excuſe it ſelfe in regard of their former payments.

COVNS. What meane you by the *great aide?*

IVST. I meane the aide of Parliament.

COVNS. By Parliament, I would faine know tho man that durſt perſwade the King vnto it, for if it ſhould ſucceed ill, in what caſe were he?

IVST. You ſay well for your ſelfe my Lord, and perchance you that are lovers of your ſelves (vnder pardon) do follow the advice of the late Duke of *Alva*, who was euer oppoſite to all reſolutions in buſineſſe of importance; for if the things enterpriſed ſucceeded wel, the advice never came in queſtion: if ill, (whereto great vndertakings are commonly ſubject) he then made his advantage by remembring his countrey councell: But my good Lord, theſe reſerued Politicians are not the beſt ſervants, for he that is bound to adventure his life for his Maſter, is alſo bound to adventure his advice, *Keepe not backe councell* (ſaith *Eccleſiaſticus*) *when it may doe good.*

COVNS. But Sir, I ſpeake it not in other reſpect then I think it dangerous for the King to aſſemble the three eſtates for thereby haue our former Kings alwayes loſt ſomwhat of their *perogatives*. And becauſe that you ſhall not thinke that I ſpeake it at randome, I will begin with elder times, wherein the firſt contention began betwixt the Kings of this land and their ſubjects in Parliament.

IVST. Your Lordſhip ſhall doe me a ſingular favour.

COVNS. You know that the Kings of *England* had no formal Parliament till about the 18. yeare of *Hen.* the firſt, for in his 17 yeare for the marriage of his Daughter, the King raiſed a tax vpon every hide of land by the advice of his pri-

vy

vy councell alone. But you may remember how the ſubjects ſoone after the eſtabliſhment of this Parliament, beganne to ſtand vpon termes with the King, and drew from him by ſtrong hand and the ſword the *great Charter*.

IVST. Your Lordſhip ſayes well, they drew from the King the *great Charter* by the ſword, and hereof the Parliament cannot be accuſed, but the Lords.

COVNS. You ſay well, but it was after the eſtabliſhment of the Parliament, and by colour of it, that they had ſo great daring, for before that time they could not endure to heare of Sr. *Edwards* lawes, but reſiſted the confirmation in all they could, although by thoſe lawes the Subjects of this Iland were no leſſe free than any of all *Europe*.

IVST. My good Lord, the reaſon is manifeſt; for while the *Normans* & other of the *French* that followed the Conquerour made ſpoyle of the *Engliſh*, they would not endure that any thing but the will of the Conquerour ſhould ſtand for Law: but after a diſcent or two when themſelves were become *Engliſh*, & found themſelues beaten with their own rods, they then began to ſavour the difference between ſubjection and ſlavery, & inſiſt vpon the law, *Meum & tuum*, & to be able to ſay vnto themſelues, *hoc fac & vives*: yea that the conquering *Engliſh* in *Ireland* did the like, your Lordſhip knowes it better than I.

COVNS. I thinke you gueſſe aright: And to the end the ſubject may know that being a faithfull ſervant to his Prince he might enjoy his owne life, and paying to his Prince what belongs to a Soveraigne, the remainder was his own to diſpoſe. *Henry* the firſt to content his Vaſſals gaue them the *great Charter*, and the *Charter of Forreſts*.

IVST. What reaſon then had K. *John* to deny the confirmatiō

COVNS. He did not, but he on the contrary confirmed both the *Charters* with additions, & required the Pope whom he had thē made his ſuperior to ſtrengthē him with a *goldē bul*.

IVST. But your honour knowes, that it was not long after, that he repented himſelfe.

COVNS. It is true, & he had reaſon ſo to do, for the Barons

refuſed to follow him into France, as they ought to haue done, and to ſay true, this *great Charter* vpon which you inſiſt ſo much, was not originally granted Regally and freely; for *Henry* the firſt did vſurpe the Kingdome, and therefore the better to aſſure himſelfe againſt *Robert* his eldeſt Brother, hee flattered the Nobility and people with thoſe *Charters*. Yea King *Iohn* that confirmed them had the like reſpect, for *Arthur* Duke of *Britain*, was the vndoubted heire of the Crowne, vpon whom *Iohn* vſurped. And ſo to conclude, theſe Charters had their originall from Kings *de facto* but not *de jure*.

IVST. But King *Iohn* confirmed the *Charter* after the death of his Nephew *Arthur*, when he was then *Rex de iure* alſo.

COVNS. It is true, for he durſt doe no other, ſtanding accurſed, whereby few or none obeyed him, for his Nobility refuſed to follow him into *Scotland*, and he had ſo grieved the people by pulling downe all the Parke pales before harveſt, to the end his Deere might ſpoyle the corne; And by ſeizing the temporalities of ſo many Biſhoprickes into his hands, and chiefly for practiſing the death of the Duke of *Britaine* his Nephew, as alſo having loſt *Normandy* to the French, ſo as the hearts of all men were turned from him.

IVST. Nay by your favour my Lord, King *Iohn* reſtored K. *Edwards* Lawes after his abſolution, and wrote his letters in the 15. of his reigne to all Sheriffes countermanding all former oppreſſions, yea this he did notwithſtanding the Lords refuſed to follow him into France.

COVNS. Pardon me, he did not reſtore King *Edwards* Lawes then, nor yet confirmed the Charters, but he promiſed vpon his abſolution to doe both: but after his returne out of *France*, in his 16. yeare he denyed it, becauſe without ſuch a promiſe he had not obtained reſtitution, his promiſe being conſtrained, and not voluntary.

IVST. But what thinke you? was hee not bound in honour to performe it.

COVNS.

COVNS. Certainely no, for it was determined the case of King *Francis* the first of France, that all promises by him made, whilst he was in the hands of *Charles* the fift his enemy, were void, by reason the Judge of honour, which tells vs he durst doe no other.

IVST. But King *Iohn* was not in prison.

COVNS. Yet for all that, restraint is imprisonment, yea, feare it selfe is imprisonment, and the King was subiect to both: I know there is nothing more kingly in a king than the performance of his word; but yet of a word freely and voluntarily giuen. Neither was the *Charter* of *Henry* the first so published, that all men might plead it for their advantage but a *Charter* was left (*in deposito*) in the hands of the Archbishop of *Canterbury* for the time, and so to his successours. *Stephen Langthon*, who was euer a Traytor to the King, produced this *Charter*, and shewed it to the Barons, thereby encouraging them to make warre against the King. Neither was it the old *Charter* simply the Barons sought to haue cõfirmed, but they presented vnto the King other articles and orders, tending to the alteration of the whole commonwealth, which when the King refused to signe, the Barons presently put themselves into the field, and in rebellious and outragious fashion sent the King word, except he confirmed them, they would not desist from making warre against him, till he had satisfied them therein. And in conclusion, the king being betrayed of all his Nobility, in effect was forced to grant the Charter of *Magna Charta*, and *Charta de Foreſtis*, at such time as he was inuironed with an Army in the Meadowes of *Staynes*, which *Charters* being procured by force, Pope *Innocent* afterward disavowed, and threatned to curse the Barons if they submitted not themselves as they ought to their Soueraigne Lord, which when the Lords refused to obey, the King entertained an army of strangers for his owne defence, wherewith having mastered & beaten the Barons, they called in *Lewes* of *France* (a most vnnaturall resolution) to be their King. Neither was *Magna Charta* a law in the 19 of *Henry* the 2d. but simply a *Charter* which hee

confirmed in the 21 of his reigne, and made it a law in the 25. according to *Littletons* opinion. Thus much for the beginning of the *Great Charter*, which had first an obscure birth from vsurpation, & was secondly fostered & shewed to the world by rebellion.

IVST. I cannot deny but that all your Lordship hath said is true; but seeing the *Charters* were afterwards so many times confirmed by Parliament & made lawes, & that there is nothing in them vnequall or prejudicial to the King, doth not your Honour thinke it reason they should be obserued?

COVNS. Yes, and obserued they are in all that the state of a King can permit, for no man is destroyed but by the lawes of the land, no man disseized of his inheritance but by the lawes of the land, imprisoned they are by the perogatiue where the King hath cause to suspect their loyalty: for were it otherwise, the King should neuer come to the knowledge of any conspiracy or Treason against his Person or state, and being imprisoned, yet doth not any man suffer death but by the law of the land.

IVST. But may it please your Lordship, were not *Cornewallis*, *Sharpe*, & *Hoskins* imprisoned, being no suspition of Treason there?

COVNS. They were, but it cost them nothing.

IVST. And what got the King by it? for in the conclusion (besides the murmure of the people) *Cornewallis*, *Sharpe*, & *Hoskins* having greatly ouershot themselues, & repented them, a fine of 5 or 600l. was laid on his Majesty for their offences, for so much their diet cost his Majesty.

COVNS. I know who gaue the advice, sure I am that it was none of mine: But thus *I* say, if you consult your memory, you shall find that those Kings which did in their own times confirme the *Magna Charta*, did not onely imprison, but they caused of their Nobility and others to bee slaine without hearing or tryall,

IVST. My good Lord, if you will giue me leaue to speake freely, *I* say, that they are not well aduised that perswade the King not to admit the *Magna Charta* with the former re-

ser-

ſervation's, For as the King can never loſe a farthing by it, as I ſhall prove anon: So except *England* were as *Naples* is, and kept by Garriſons of another Nation, it is impoſible for a King of *England* to greaten and inrich himſelfe by any way ſo aſſuredly, as by the love of his people: For by one rebellion the King hath more loſſe then by a hundred yeares obſervance of *Magna Charta*, For therein haue our Kings beene forced to compound with Roagues and Rebels, and to pardon them, yea the ſtate of the King, the Monarchie, the Nobility haue beene endangered by them.

COVNS. Well Sir, let that paſſe, why ſhould not our Kings raiſe mony as the Kings of *France* doe by their letters and Edicts only? for ſince the time of *Lewes* the 11. of whom it is ſaid, that he freed the French Kings of their wardſhip, the French Kings haue ſeldome aſſembled the ſtates for any contribution.

IVST. I will tell you why: the ſtrength of *England* doth conſiſt of the people and Yeomanry, the Peſants of *France* haue no courage nor armes: In *France* every Village and Burrough hath a caſtle, which the *French* call *Chaſteau Villain*, every good City hath a good Cittadell, the King hath the Regiments of his guards and his men at armes alwayes in pay; yea the Nobility of *France* in whom the ſtrength of *France* conſiſts, doe alwayes aſſiſt the King in thoſe leavies, becauſe themſelves being free, they made the ſame leavies vpon their Tennants. But my Lord, if you marke it, *France* was never free in effect from civill warres, and lately it was endangered either to be conquered by the Spaniard, or to be cantonized by the rebellious French themſelves, ſince that freedome of Wardſhip. But my good Lord, to leave this digreſſion, that wherein I would willingly ſatiſfie your Lordſhip, is, that the Kings of *England* haue neuer receiued loſſe by Parliament, or prejudice.

COVNS. No Sir, you ſhall find that the ſubjects in Parliament haue decreed great things to the diſadvantage and diſhonour of our Kings in former times.

IVST,

Iust. My good Lord, to avoid confusion, I will make a short repitition of them all, and then your Lordship may object where you see cause; And I doubt not but to giue your Lordship satisfaction. In the sixt yeare of *Henry* the 3d. there was no dispute, the house gaue the King two shillings of every plough land within *England*, and in the end of the same yeare he had *escuage* paid him (to wit) for euery Knights fee two markes in silver. In the fifth yeare of that King, the Lords demaunded the confirmation of the *Great Charter* which the Kings Councell for that time present excused, alleadging that those priuiledges, were exhorted by force during the Kings Minoritie, and yet the King was pleased to send forth his writ to the Sheriffes of euery county, requiring them to certifie what those liberties were, and how vsed, and in exchange of the Lords demaund, because they prest him so violently, the king required all the castles & places which the Lords held of his, & had held in the time of his Father, with those Manors and Lordships which they had heeretofore wrested from the Crowne, which at that time (the King being prouided of forces) they durst not deny. in the 14. yeare he had the 15. peny of all goods giuen him, vpon condition to confirme the great *Charter*: For by reason of the wars in *France*, & the losse of *Rochell*, hee was then enforced to consent to the Lords in all they demanded, in the 10th. of his reigne hee fined the City of *London* at 50000. markes, because they had received *Lewis* of *France*, in the 11. yeare in the Parliament at *Oxford*, he revoked the great charter, being granted when he was vnder age, & gouerned by the Earle of *Pembroke* and the Bishop of *Winchester*, in this 11 yeare the Earles of *Cornewall* & *Chester*, Marshall, *Edward* Earle of *Pembroke*, *Gilbert* Earle of *Glouceſter*, *Warren*, *Hereford*, *Ferrars*, & *Warwick*, and others rebelled against the King, and constrained him to yeeld vnto them in what they demaunded for their particular interest, which rebellion being appeased, he sayled into *France*, & in his 15. yeare he had a 15n of the temporality, & a disme & a halfe of the spirituality, and withall escuage of euery Knights fee.

Covns.

COUNS. But what say you to the Parliament of *Westminster* in the 16th of the King, where notwithstanding the wars of *France* and his great charge in repulsing the *Welsh* rebels, he was flatly denyed the Subsidy demanded.

JUST. I confesse, my Lord, that the house excused themselves by reason of their poverty, and the Lords taking of Armes; in the next yeare it was manifest that the house was practised against the King: And was it not so, my good Lord, thinke you in our two last Parliaments, for in the first even those whom his Majesty trusted most, betrayed him in the union, & in the second there were others of the great ones ran counter. But your Lordship spake of dangers of Parliaments, in this, my Lord, there was a denyall, but there was no danger at all: but to returne where I left, what got the Lords by practizing the house at that time? I say that those that brake this staffe upon the King, were overturned with the counterbuffe, for he resumed all those lands which hee had given in his minority, hee called all his exacting officers to accompt, he found them all faulty, he examined the corruption of other Magistrates, and from all these he drew sufficient money to satisfie his present necessity, whereby he not onely spared his people, but highly contented them with an act of so great Justice: Yea *Hubert* Earle of *Kent*, the chiefe Justice whom hee had most trusted, and most advanced, was found as false to the King as any one of the rest. And for conclusion in the end of that yeare at the assembly of the States at *Lambeth*, the King had the fortieth part of every mans goods given him freely toward his debts, for the people, who the same yeare had refused to give the King any thing, when they saw hee had squeased those spunges of the Common-wealth, they willingly yeelded to give him satisfaction.

COUNS. But I pray you, what became of this *Hubert*, whom the King had favoured above all men, betraying his Majesty as he did.

JUST. There were many that perswaded the King to

put him to death, but he could not be drawne to consent, but the King seized upon his estate which was great; yet in the end hee left him a sufficient portion. and gave him his life because hee had done great service in former times: For his Majesty, though hee tooke advantage of his vice, yet hee forgot not to have consideration of his vertue. And upon this occasion it was that the King, betrayed by those whom hee most trusted, entertained strangers, and gave them their offices and the charge of his Castles and strong places in *England*.

COUNS. But the drawing in of those strangers was the cause that *Marshall* Earle of *Pembroke* moved warre against the King.

JUST. It is true, my good Lord, but hee was soone after slaine in *Ireland*, and his whole masculine race, ten yeares extinguished, though there were five sonnes of them, and *Marshall* being dead, who was the mover and ring-leader of that warr, the King pardoned the rest of the Lords that had assisted *Marshall*.

COUNS. What reason had the King so to doe?

JUST. Because he was perswaded, that they loved his person, & only hated those corrupt Counsellors, that then bare the greatest sway under him, as also because they were the best men of warre hee had, whom if hee destroyed, having warre with the *French*, he had wanted Commanders to have served him.

COUNS. But what reason had the Lords to take armes?

JUST. Because the King entertained the *Poictovins*, were not they the Kings vassals also? Should the *Spaniards* rebell, because the *Spanish* King trusts to the *Neapolitans*, *Portugues*, *Millanoies*, and other nations his vassals, seeing those that are governed by the Vice-royes and deputies, are in policy to be well entertained and to be employed, who would otherwise devise how to free themselves; whereas, being trusted and imployed by their Prince, they entertaine themselves with the hopes that other the Kings vassals doe, if the King had called in the *Spaniards*, or other Nations, not his

Subjects,

Subjects, the Nobilitie of *England* had had reaſon of griefe.

Coun. But what people did ever ſerve the King of *England* more faithfully then the *Gaſcoynes* did, even to the laſt of the conqueſt of that Duchie?

Just. Your Lordſhip ſayes well, and I am of that opinion, that if it had pleaſed the Queen of *Eng.* to have drawn ſome of the chief of the *Iriſh* Nobilitie into *Eng.* and by exchange to have made them good free-holders in *Eng.* ſhe had ſaved above 2 millions of pounds, which were conſumed in times of thoſe Rebellions. For what held the great *Gaſcoigne* firme to the Crowne of *England* (of whom the Duke of *Eſpernon* married the Inheritrix) but his Earldome of *Kendall* in *England*, whereof the Duke of *Eſpernon* (in right of his Wife) beares the Title to this day? And to the ſame end I take it, hath *James* our Soveraign Lord given Lands to divers of the Nobilitie of *Scotland*. And if I were worthy to adviſe your Lordſhip, I ſhould thinke that your Lordſhip ſhould doe the King great ſervice, to put him in mind to prohibite all the *Scottiſh* Nation to alienate and ſell away their inheritance here; for they ſelling, they not only give cauſe to the *Engliſh* to complaine, that the Treaſure of *England* is tranſported into *Scotland*, but his Majeſtie is thereby alſo fruſtrated of making both Nations one, and of aſſuring the ſervice and obedience of the *Scots* in future.

Couns. You ſay well, for though thoſe of *Scotland* that are advanced and enriched by the Kings Majeſties will, no doubt ſerve him faithfully, yet how their heires and ſucceſſors, having no inheritance to loſe in *England*, may be ſeduced, is uncertaine. But let us goe on with our Parliament. And what ſay you to the denyall, in the 26th yeare of his reigne, even when the King was invited to come into *France* by the Earle of *March*, who had married his Mother, and who promiſed to aſſiſt the King in the conqueſt of many places loſt?

Just. It is true my good Lord, that a ſubſidie was then denied, & the reaſons are delivered in *Engliſh* hiſtories, and indeed the King not long before had ſpent much Treaſure in aiding

the Duke of *Britaine* to no purpoſe; for he drew over the King but to draw on good conditions for himſelfe, as the Earle of *March* his father in law now did: As the *Engliſh* Barons did invite *Lewes* of *France* not long before, as in elder times all the Kings and States had done, and in late yeares the Leaguers of *France* entertained the *Spaniards*, and the *French* Proteſtants and Netherlands, Queene *Elizabeth*, not with any purpoſe to greaten thoſe that ayde them, but to purchaſe to themſelves an advantageous peace. But what ſay the Hiſtories to this denyall? They ſay, with a world of payments there mentioned, that the King had drawne the Nobilitie drie. And beſides, that whereas not long before great ſummes of money were given, and the ſame appointed to be kept in foure Caſtles, and not to be expended but by the advice of the Peeres; it was beleeved, that the ſame Treaſure was yet unſpent.

Couns. Good Sir you have ſaid enough; judge you whether it were not a diſhonour to the King to be ſo tyed, as not to expend his Treaſure but by other mens advice, as it were by their licence.

Just. Surely, my Lord, the King was well adviſed to take the money upon any condition, and they were fooles that propounded the reſtraint; for it doth not appeare, that the King tooke any great heed to thoſe overſeers: *Kings are bound by their pietie, and by no other obligation.* In Queene *Maries* time, when it was thought that ſhee was with Child, it was propounded in Parliament, that the rule of the Realme ſhould be given to King *Philip*, during the minoritie of the hoped Prince or Princeſſe; and the King offered his aſſurance in great ſummes of money, to relinquiſh the Government at ſuch time as the Prince or Princeſſe ſhould be of age: At which motion, when all elſe were ſilent in the Houſe, Lord *Dacres* (who was none of the wiſeſt) asked who ſhall ſue the Kings Bonds? which ended the diſpute, (for what Bond is betweene a King and his vaſſals, then the Bond of the Kings Faith?) But, my good Lord, the King, notwithſtanding the denyall at that time,

was

was with gifts from particular perſons, & otherwiſe, ſupplyed for proceeding of his journey for that time into *France*; he tooke with him 30 Caskes filled with Silver and Coyne, which was a great Treaſure in thoſe dayes. And laſtly, notwithſtanding the firſt denyall, in the Kings abſence he had Eſcuage granted him (to wit) 20 ˢ of every Knights Fee.

Couns. What ſay you then to the 28ᵗʰ yeare of that King, in which when the King demanded reliefe, the States would not conſent, except the ſame former order had bin taken for the appointing of 4 overſeers for the treaſure: as alſo that the Lord chief Juſtice & the L. Chancelor ſhould be choſen by the States, with ſome Barons of the Exchequer & other officers.

Just. My good Lord, admit the King had yeelded their demands, then whatſoever had beene ordained by thoſe Magiſtrates to the diſlike of the Common-wealth, the people had beene without remedie, whereas while the King made them, they had their appeale and other remedies. But thoſe demands vaniſhed, and in the end the King had eſcuage given him, without any of their conditions. It is an excellent vertue in a King to have patience, and to give way to the furie of mens paſſions. The Whale when he is ſtrucken by the fiſherman, growes into that furie, that he cannot be reſiſted, but will overthrow all the Ships and Barkes that come into his way; but when he hath tumbled a while, he is drawne to the ſhore with a twind thred.

Couns. What ſay you then to the Parliament in the 29ᵗʰ of that King?

Just. I ſay, that the Commons being unable to pay, the King relieves himſelf upon the richer ſort: and ſo it likewiſe happened in the 33 of that King, in which he was relieved chiefely by the Citie of *London*. But, my good Lord, in the Parliament in *London* in the 38ᵗʰ yeare, he had given him the tenth of all the revenues of the Church for 3 yeares, & three marks of every Knights Fee throughout the kingdome, upon his promiſe and oath upon the obſerving of *Magna Charta*, but in the end of the ſame year, the King being the in *France*, he was denyed the aydes which he required. What is this to

the danger of a Parliament ? eſpecially at this time they had reaſon to refuſe, they had given ſo great a ſumme in the beginning of the ſame yeare. And againe, becauſe it was known that the King had but pretended warre with the King of *Caſtile*, with whom he had ſecretly contracted an alliance, and concluded a Marriage betwixt his ſonne *Edward* and the Lady *Elenor*. Theſe falſe fires doe but fright Children, and it commonly falls out, that when the cauſe given is knowne to be falſe, the neceſſitie pretended is thought to be fained. Royall dealing hath evermore Royall ſucceſſe: and as the King was denyed in the eight and thirtieth yeare, ſo was he denyed in the nine and thirtieth yeare, becauſe the Nobilitie and the people ſaw it plainely, that the K. was abuſed by the Pope, who as well in deſpite to *Manfred* baſtard ſonne to the Emperour *Frederick* the ſecond: as to cozen the King and to waſte him, would needes beſtow on the King the Kingdome of *Sicily*; to recover which, the King ſent all the Treaſure he could borrow or ſcrape to the Pope, and withall gave him letters of credence, for to take up what he could in *Italy*, the King binding himſelfe for the payment. Now, my good Lord, the wiſdome of Princes is ſeene in nothing more then in their enterpriſes. So how unpleaſing it was to the State of *England* to conſume the Treaſure of the Land, & in the conqueſt of *Sicily* ſo farre off, and otherwiſe, for that the *Engliſh* had loſt *Normandie* under their noſes, and ſo many goodly parts of *France*, of their own proper inheritances: the reaſon of the denyall is as well to be conſidered as the denyall.

Couns. Was not the King alſo denyed a Subſidie in the fortie firſt of his reigne ?

Just. No, my Lord: for although the King required money as before, for the impoſſible conqueſt of *Sicily*, yet the Houſe offered to give 52000 marks, which whether he refuſed or accepted, is uncertaine: and whilſt the King dreamed of *Sicily*, the *Welſh* invaded and ſpoyled the borders of *England*; for in the Parliament of *London*, when the King urged the Houſe for the proſecuting the cõqueſt of *Sicily*, the Lords utterly diſliking the attempt, urged the proſecuting of the Welſhmen

Welſhmen: which Parliament being proroged did again aſſemble at Oxford, & was called the mad Parliament, which was no other then an aſſembly of rebels, for the royal aſſent of the K. which gives life to all Lawes, form'd by the three eſtates, was not a royall aſſent, when both the K. & the Prince were cõſtrained to yeeld to the Lords. A conſtrained conſent is the conſent of a Captive & not of a K. and therefore there was nothing done there either legally or royally. For if it be not properly a Parliament where the ſubject is not free, certainely it can be none where the King is bound, for all kingly rule was taken from the King, and twelve Peeres appointed, and as ſome Writers have it 24. Peeres, to governe the Realme, and therefore the aſſembly made by *Jack Straw* and other rebels may aſwell bee called a Parliament as that of Oxford. *Principis nomen habere, non eſt eſſe princeps*, for thereby was the K. driven not only to cõpound all quarrels with the French, but to have meanes to be revenged on the rebell Lords: but he quitted his right to *Normandy*, *Anjou* & *Mayne*.

Couns. But Sir, what needed this extremity, ſeeing the Lords required but the confirmation of the former Charter, which was not prejudiciall to the King to grant?

Just. Yes my good Lord, but they inſulted upon the King, & would not ſuffer him to enter into his own Caſtles, they put downe the Purveyor of the meate for the maintenance of his houſe, as if the King had been a bankrupt, and gave order that without ready money he ſhould not take up a Chicken. And though there is nothing againſt the royalty of a King in theſe Charters (the Kings of England being Kings of freemen and not of ſlaves) yet it is ſo contrary to to the nature of a King to bee forced even to thoſe things which may be to his advantage, as the King had ſome reaſon to ſeeke the diſpenſation of his oath from the Pope, and to draw in ſtrangers for his owne defence: yea *jure ſalvo Coronæ noſtræ* is intended incluſively in all oathes and promiſes exacted from a Soveraigne.

Coun. But you cannot be ignorant how dangerous a thing it is to call in other nations both for the ſpoil they make, as alſo,

ſo, becauſe they have often held the poſſeſſion of the beſt places with which they have beene truſted.

Just. It is true my good Lord, that there is nothing ſo dangerous for a King as to be conſtrained and held as priſoner to his vaſſals, for by that, *Edward* the ſecond, and *Richard* the ſecond loſt their Kingdomes and their lives. And for calling in of ſtrangers, was not King *Edward* the ſixth driven to call in ſtrangers againſt the Rebels in Norfolke, Cornewall, Oxfordſhire and elſewhere? Have not the K^s. of Scotland beene oftentimes conſtrained to entertaine ſtrangers againſt the Kings of England: And the King of England at this time had he not bin diverſe times aſſiſted by the Kings of Scotl. had bin endangered to have been expelled for ever.

Couns. But yet you know thoſe Kings were depoſed by Parliament.

Just. Yea my good Lord being Priſoners, being out of poſſeſſion, and being in their hands that were Princes of the blood and pretenders. It is an old country Proverbe, (that *Might overcomes Right*) a weake title that weares a ſtrong ſword, commonly prevailes againſt a ſtrong title that weares but a weake one, otherwiſe *Philip* the ſecond had never been Duke of Portugal, nor Duke of Millayne, nor K. of Naples & Sicily. But good Lord, *Errores non ſunt trahendi in exemplum*. I ſpeake of regall, peaceable, and lawfull Parliaments. The King at this time was but a King in name, for Glocester, Leiceſter and Chicheſter made choiſe of other Nine, to whom the rule of the Realme was committed, & the Prince was forced to purchaſe his liberty frō the Earle of Leiceſter, by giving for his ranſome the County Pallatine of Cheſter. But my Lord let us judge of thoſe occaſions by their events, what became of this proud Earle? was hee not ſoone after ſlaine in Eveſham? was he not left naked in the field, and left a ſhamefull ſpectacle, his head being cut off from his ſhoulders, his privie parts from his body, & laid on each ſide of his noſe? And did not God extinguiſh his race after which in a lawfull Parliament at Weſtminſter (confirmed in a following Parliament of Weſtminſter) were not all the Lords that followed

followed Leycester dishinrried? And when that foole Glocester after the death of Leycester (whom hee had formerly forsaken) made himselfe the head of a second Rebellion, and called in strangers, for which not long before he had cried out against the King, was not he in the end, after that he had seene the slaughter of so many of the Barons, the spoile of their Castles, and Lordships constrained to submit himselfe, as all the survivers did, of which they that sped best, payd their fines and ransomes, the King reserving his younger sonne, the Earledomes of Leycester and Derby.

COVNS: Well sir, we have disputed this King to the grave, though it be true, that he out-lived all his enemies, & brought them to confusion, yet those examples did not terrifie their successors, but the Earle Marshall, and Hereford, threatned King *Edward* the first, with a new Warre.

IVST. They did so, but after the death of Hereford, the Earle Marshall repented himselfe, and to gaine the Kings favour, he made him heire of all his Lands. But what is this to the Parliament? for there was never K. of this land had more given him for the time of his raigne, then *Edward* the Sonne of *Henry* the third had.

COVNS. How doth that appeare?

IVST. In this sort my good Lord, in this Kings third yeare he had given him the fifteenth part of all goods. In his sixt yeare a twentith. In his twelfth yeare a twentyeth, in his fourteenth yeare he had escuage (to wit) forty shillings of every Knights Fee, in his eighteenth yeare he had the eleventh part of all moveable goods within the Kingdome, in his nineteenth yeare the tenth part of all Church livings in England, Scotland and Ireland, for sixe yeares, by agreement from the Pope, in his three and twentieth yeare he raised a taxe vpon Woll and fels, and on a day caused all the religious houses to be searched, and all the treasure in them to be seized and brought to his coffers, excusing himselfe by laying the fault vpon his Treasurer, he had also in the end of the same yeare, of all goods of all Burgesses, & of the Commons the 10th part, in the 25th yeare of a Parliament at St. *Edmundsbury*, he had an 18th part of the goods of the Burgesses, and of the people in generall,

the tenth part. Hee had alſo the ſame yeare by putting the Clergie out of his protection a fift part of their goods, and in the ſame yeare he ſet a great taxe vpon Woolls, to wit, from halfe a marke to 40 s. vpon every ſacke, whereupon the Earle *Marſhall*, and the Earle of *Hereford* refuſing to attend the King into *Flanders*, pretended the greevances of the people. But in the end the King having pardoned thē, and confirmed the great Charter, he had the ninth penny of all goods from the Lords and Commons of the Clergie, in the South he had the tenth penny, and in the North the fift penny. In the two and thirtyeth yeare he had a ſubſedy freely granted. In the three and thirtyeth yeare hee confirmed the great Charter of his owne Royall diſpoſition, and the ſtates to ſhew their thankfulneſſe, gave the King for one yeare, the fift part of all the revenues of the land, and of the Citizens the ſixt part of their goods. And in the ſame yeare the King vſed the inquiſition called *Trai le Baſton*. By which all Juſtices and other Magiſtrates were grievouſly fined that had vſed extortion or bribery, or had otherwiſe miſdemeaned themſelves to the great contentation of the people. This Commiſſion likewiſe did enquire of entruders, barators, and all other the like vermine, whereby the King gathered a great maſſe of treaſure with a great deale of love. Now for the whole raigne of this King, who governed *England* 35 yeares, there was not any Parliament to his prejudice.

COVN. But there was taking of armes by *Marſhall* and *Hereford*.

IVST. That's true, but why was that? becauſe the King, notwithſtanding all that was given him by Parliament, did lay the greateſt taxes that ever King did without their conſent. But what loſt the King by thoſe Lords? one of them gave the King all his lands, the other dyed in diſgrace.

COVN. But what ſay you to the Parliament in *Edward* the Seconds time his ſucceſſor: did not the houſe of Parliament baniſh *Peirce Ganeſton* whom the King favoured?

IVST. But what was this *Ganeſton* but an Eſquier of *Gaſcoine*, formerly baniſht the Realme by King *Edward* the firſt, for

for corrupting the Prince *Edward*, now raigning. And the whole Kingdome fearing and deteſting his venemous diſpoſition, they beſought his Majeſtie to caſt him off, which the King performed by an act of his owne, and not by act of Parliament, yea *Gaueſtons* owne father in Law, the Earle of *Gloeſter*, was one of the chiefeſt of the Lords that procured it. And yet finding the Kings affection to follow him ſo ſtrongly, they all conſented to have him recalled. After which when his credit ſo encreaſed, that he diſpiſed and ſet at naught all the ancient Nobility, and not onely perſwaded the King to all manner of outrages and riots, but withall tranſported what hee lifted of the Kings Treaſure, and Iewels, the Lords vrged his baniſhment the ſecond time, but neither was the firſt nor ſecond baniſhment forced by Act of Parliament, but by the forceable *Lords* his Enemies. Laſtly he being recalled by the King, the Earle of *Lancaſter* cauſed his head to be ſtricken off, when thoſe of his party had taken him priſoner. By which preſumptuous Act, the Earle and the reſt of his company committed Treaſon and murder, Treaſon by raiſing an Army without warrant, murder by taking away the life of the Kings Subject. After which *Gaueſton* being dead, the *Spencers* got poſſeſſion of the Kings favor, though the younger of them was placed about the King, by the Lords themſelves.

COVN. What ſay you then to the Parliament held at London about the ſixt yeare of that King.

IVST. I ſay that King was not bound to performe the acts of this Parliament, becauſe the Lords being too ſtrong for the King, inforced his conſent, for theſe be the words of our owne Hiſtory. *They wreſted too much beyond the bounds of reaſon.*

COVN. What ſay you to the Parliaments of the White wands in the 13th of the King.

IVST. I ſay the Lords that were ſo moved, came with an Army, and by ſtrong hand ſurprized the King, they conſtrained, (ſayth the ſtory) the reſt of the *Lords* and compelled many of the Biſhops to conſent vnto them, yea it ſayth further, that the King durſt not but grant to all that they requi-

red,(to wit) for the banishment of the *Spencers*. Yea they were so insolent that they refused to lodge the Queene comming through *Kent* in the Castle of *Leedes*, and sent her to provide her lodging where she could get it so late in the night, for which notwithstanding some that kept her out were soone after taken and hang'd, and therefore your Lordship cannot call this a Parliament for the reasons before alleaged. But my Lord what became of these Lawgivers to the King, even when they were greatest, a Knight of the North called *Andrew Herkeley*, assembled the Forces of the Countrey, overthrew them and their Army, slew the Earle of *Hereford*, and other Barons, tooke their generall *Thomas* Earle of *Lancaster*, the Kings cozen-germane at that time possessed of five Earledomes, the Lords *Clifford*, *Talbort*, *Monbray*, *Mandint*, *Willington*, *Warren*, Lord *Darcy*, *Withers*, *Knevill*, *Leybourne*, *Bekes*, *Lovell*, *Fitzwilliams*, *Watervild*, and divers other Barons, Knights and Esquiers, and soone after the Lord *Percy*, and the Lord *Warren* tooke the Lords *Baldsemere*, and the Lord *Audley*, the Lord *Tais*, *Gifford*, *Tuchet*, and many others that fled from the battaile, the most of which past vnder the hands of the hangman, for constraining the King vnder colour and name of a Parliament. But this your good Lordship may judge, to whom, those tumultuous assemblies (which our Histories falsely call Parliaments have beene dangerous, the King in the end ever prevailed, and the Lords lost their lives, and estates. After which the *Spencers* in their banishment at *Yorke*, in the 15th of the King, were restored to the honors and estates, and therein the King had a subsedy given him the first penny of goods throughout *England*, *Ireland*, and *Wales*.

COVN. Yet you see the *Spencers* were soone after dissolved.

IVST. It is true my Lord, but that is nothing to our subiect of Parliament, they may thanke their owne insolencie, for they branded and dispised the Queene, whom they ought to have honored as the Kings wife; they were also exceeding greedy, and built themselves vpon other mens ruines, they were ambitious and exceeding malicious, whereupon that came,

that

that when Chamberlaine *Spencer* was hang'd in *Hereford*, a part of the 24th *Psalme* was written over his head: *Quid gloriaris in malitia potens?*

COVNS. Well Sir, you have all this while excused your selfe vpon the strength and rebellions of the Lords, but what say you now to King *Edward* the third, in whose time (and during the time of this victorious King, no man durst take Armes or rebell) the three estates did him the greatest affront that ever King received or endured, therefore I conclude where I began, that these Parliaments are dangerous for a King,

JVST. To answer your Lordship in order, may it please you first to call to mind, what was given this great King by his Subjects before the dispute betwixt him and the house happened, which was in his latter dayes, from his first yeare to his fift yeare there was nothing given the King by his subjects, In his eight yeare at the Parliament at *London* a tenth and a fifteenth was granted, in his tenth yeare hee ceased vpon the *Italians* goods here in *England* to his owne vse, with all the goods of the *Monkes Cisticeys* and others, of the order of the *Cistertians*, In the eleaventh yeare, he had given him by Parliament a notable reliefe, the one halfe of the Woolls throughout *England*, and of the Clergie all their Woolls, after which, in the end of the yeare hee had granted in his Parliament at *Westminster*, forty shillings vpon every sacke of Wooll, and for every thirty woolfels forty shillings, for every last of leatherne, as much, and for all other merchandizes after the same rate. The King promising that this yeares gathering ended, he would thenceforth content himselfe with the old custome, he had over and above this great ayde the eight part of all goods of all Citizens and Burgesses; and of others as of forreigne Merchants; and such as lived not of the gaine of breeding of sheepe and cattell the fifteenth of their goods. Nay my Lord: this was not all, though more then ever was granted to any King, for the same Parliament bestowed on the King the ninth sheafe of all the corne within the Land, the ninth fleece, and the ninth lambe for two

yeares next following; now what thinke your Lordſhip of this Parliament.

COVN. I ſay they were honeſt men.

IVST. And I ſay, the people are as loving to their King now, as ever they were, if they be honeſtly and wiſely dealt withall, and ſo his Majeſtie hath found them in his laſt two Parliaments, if his Majeſtie had not beene betrayed by thoſe whom he moſt truſted.

COVNS. But I pray you Sir, who ſhall a King truſt, if he may not truſt thoſe whom he hath ſo greatly advanced?

IVST. I will tell your Lordſhip whom the King may truſt.

COVN, Who are they?

JVST. His owne reaſon, and his owne excellent Iudgement which have not deceived him in any thing, wherein his Majeſty hath beene pleaſed to exerciſe them, *Take Councell of thine heart* (ſaith the booke of Wiſedome) *for there is none more faithfull vnto thee then it.*

COVN. It is true, but his Majeſtie found that thoſe wanted no judgement whom hee truſted, and how could his Maieſtie divine of their honeſties?

IVST. Will you pardon mee if I ſpeake freely, for if I ſpeake out of *loue*, which (as *Salomon* ſaith) *covereth all treſpaſſes*, The trueth is, that his Maieſtie would never beleeve any man that ſpake againſt them, and they knew it well enough, which gave them boldneſſe to doe what they did.

COVN. What was that?

JVST. Even, my good Lord, to ruinie the Kings eſtate ſo farre as the ſtate of ſo great a King may be ruin'd by men ambitious and greedy without proportion. It had beene a brave increaſe of revenue, my Lord, to have rayſed 50000l. land of the Kings to 200000l. revenue, and to raiſe the revenue of wards to 200000l. more, 40000l. added to the reſt of his Maieſties eſtate, had ſo enabled his Maieſtie, as hee could never have wanted, And my good Lord, it had beene an honeſt ſervice to the King, to have added 7000l lands of the Lord *Cobhams*, Woods and goods being worth 30000l. more.

COVN, I know not the reason why it was not done.

IVST. Neither doth your Lordship, perchance know the reason why the 10000l. offer'd by *Swinnerton* for a fine of the *French* wines, was by the then Lord Treasurer conferr'd on *Devonshire* and his *Mistris*.

COVN. What moved the Treasurer to reiect and crosse that raising of the Kings lands?

IVST. The reason, my good Lord, is manifest, for had the land beene raised, then had the King knowne when he had given or exchanged land, what hee had giuen or exchanged.

COVNS. What hurt had that beene to the Treasurer whose Office is truely to informe the King of the value of all that he giveth?

IVST. So hee did when it did not concerne himselfe nor his particular, for hee could never admit any one peece of a good Manour to passe in my Lord *Aubignes* booke of 1000l. land, till hee himselfe had bought, and then all the remaining flowers of the Crowne were culled out. Now had the Treasurer suffer'd the Kings lands to haue beene raised, how could his Lordship have made choyce of the old rents, as well in that booke of my Lord *Aubigne*, as in exchange of *Theobalds*, for which hee tooke *Hatfield* in it, which the greatest subiect or favorite Queene *Elizabeth* had neuer durst haue named vnto her by way of gift or exchange. Nay my Lord, so many other goodly Mannors have passed from his Maiestie, as the very heart of the kingdome mourneth to remember it, and the eyes of the kingdome shedde teares continually at the beholding it: yea the soule of the kingdome is heavie unto death with the consideration thereof, that so magnanimous a Prince, should suffer himselfe to be so abused.

COVNS. But Sir you knowe that *Cobhams* lands were entayled vpon his Cosens.

IVST. Yea my Lord, but during the liues and races of *George Brooke* his children, it had beene the Kings, that is to say, for euer in effect, but to wrest the king, and to draw the inheritance vpon himselfe, hee perswaded his Maiestie to relinquish

linquish his interest for a pretty summe of money; and that there might be no counterworking, he sent *Brooke* 6000 l. to make friends, whereof himselfe had 2000 l. backe againe, *Buckhurst* and *Barwicke* had the other 4000 l. and the Treasurer and his heires the maine of land for ever.

COVNS. What then I pray you came to the King by this great confiscation.

IVST. My Lord, the Kings Majestie by all those goodly possessions, Woods & goods looseth 500 l. by the yeare which he giveth in pension to *Cobham* to maintaine him in prison.

COV. Certainly, even in conscience they should have reserved so much of the land in the Crowne, as to have given *Cobham* meate and apparell, and not made themselves so great gainers, and the King 500 l. (*per annum*) looser by the bargaine, but it's past: *Consilium non est eorum quæ fieri nequeunt*.

IVST. Take the rest of the Sentence, my Lord: *Sed consilium versatur in iis quæ sunt in nostra potestate*. It is yet, my good Lord, *in potestate Regis*, to right himselfe. But this is not all my Lord; And I feare me, knowing your Lordships love to the King, it would put you in a feaver to heare all, I will therefore goe on with my Parliaments,

COVN. I pray doe so, and amongst the rest, I pray you what say you to the Parliament holden at *London* in the fifteenth yeare of King *Edward* the third?

IVST. I say there was nothing concluded therein to the prejudice of the King. It is true, that a little before the sitting of the house, the King displaced his Chancellour and his Treasurer, and most of all his Iudges and Officers of the Exchequer, and committed many of them to prison, because they did not supply him with mony, being beyond the Seas, for the rest, the States assembled, besought the King that the lawes of the two Charters might bee observed, and that the great Officers of the Crowne might be chosen by Parliament,

COVN. But what successe had these petitions.

IVST. The Charters were observed, as before, and so they will

will be ever, and the other petition was reiected, the King being pleas'd, notwithstanding, that the great Officers, should take an oath in *Parliament* to doe Iustice. Now for the Parliaments of *Westminster*, in the 17th yeare of the King, the King had three markes and a halfe for every sacke of Woolle, transported; and in his 18th he had a 10th of the Clergie, and a 15th of the Laity for one yeare. His Maiestie forbare after this to charge his Subiects with any more payments, vntill the 29th of his reigne, when there was given the King by *Parliament* 50 for every sacke of Woolle transported for sixe yeares, by which grant, the King received a thousand markes a day, a greater matter then a thousand pounds in these dayes, and a 1000l. a day amounts to 365000l. a yeare, which was one of the greatest presents that ever was given to a King of this land. For besides the cheapenesse of all things in that age, the Kings souldiers had but 3d. a day wages, a man at armes 6 d, a Knight but 2s. In the Parliament at *Westminster*, in the 33th yeare he had 26s. 8d. for every sacke of Wooll transported, and in the 42th yeare 3 dismes and 3 fifteens. In his 45th yeare he had 500001. of the *Laity*, and because the Spiritualty disputed it, and did not pay so much, the King chang'd his Chancellour, Treasurer, and Privy Seale, being Bishops, and placed Lay-men in their roome.

COVN. It seemes that in those dayes the Kings were no longer in love with their great Chancellors, then when they deserved well of them.

IVST. No my Lord, they were not, and that was the reason they were well served, and it was the custome then, & in many ages after, to change the Treasurer and the Chancellour every 3 years, & withall to heare all mens complaints against them.

COVN: But by this often change, the saying is verified, that there is no inheritance in the favour of Kings. *Hee that keepeth the figge-tree* (saith *Salomon*) *shall eate the fruit thereof*; for reason it is that the servant live by the Master.

IVST. My Lord, you say well in both, but had the subiect an inheritance in the Princes favour, where the Prince hath no inheritance in the Subiects fidelity, then were Kings in more

vnhappy estate then common persons, For the rest, *Salomon* meaneth not, that he that *keepeth the figge-tree* should surfer, though he meant he should eate, hee meant not hee should breake the branches in gathering the figs, or eate the ripe, and leave the rotten for the owner of the tree; for what saith hee in the following chapter, he saith that *he that maketh hast to be rich, cannot be innocent.* And before that, he saith, *that the end of an inheritance hastily gotten, cannot be blessed.* Your Lordship hath heard of few or none great with Kings that have not vsed their power to oppresse, that have not growne insolent and hatefull to the people; yea, insolent towards those Princes that advanced them.

COVNS. Yet you see that Princes can change their fancies.

IVST. Yea my Lord, when favorites change their faith, when they forget that how familiar soever Kings make themselves with their Vassals, yet they are Kings: *He that provoketh a King to anger* (saith *Salomon*) *sinneth against his own soule.* And he further saith, that *pride goeth before distruction, and a high mind before a fall.* I say therefore, that in discharging those *Lucifers*, how deare soever they have beene, Kings make the world know that they have more of Iudgement then of passion, yea they thereby offer a satisfactory sacrifice to all their people, too great benefits of subjects to their King, where the mind is blowne vp with their owne deservings, and too great benefits of Kings conferr'd vpon their Subjects, where the mind is not qualified with a great deale of modesty are equally dangerous. Of this later and insolenter, had King *Richard* the second delivered vp to Iustice but three or foure, he had still held the love of the people, and thereby his life and estate.

COVNS. Well, I pray you goe on with your Parliaments.

IVST, The life of this great King *Edward* drawes to an end, so doe the Parliaments of this time, wherein 50 yeares raigne, he never received any affront, for in his 49th yeare he had a disme and a fifteene granted him freely.

COVN.

COVNS, But Sir it is an olde saying, that all is well that ends well: Iudge you whether that in his 50th yeare in Parliament at *Westminster* hee received not an affront, when the house urged the King to remove and discharge from his presence the Duke of *Lancaster*, the Lord *Latimer* his Chamberlaine, Sir *Richard Sturry* and others whom the King favoured and trusted. Nay, they pressed the King to thrust a certaine Lady out of the Court, which at that time bare the greatest sway therein.

IVST. I will with patience answere your Lordship to the full, and first your Lordship may remember by that which I even now said, that never King had so many gifts as this King had from his subjects, and it hath never grieved the subiects of *England* to give to their King, but when they knew there was a devouring Lady, that had her share in all things that passed, and the Duke of *Lancaster* was as scraping as thee, that the Chancellour did eate up the people as fast as either of them both. It grieved the subiects to feede these Cormorants. But my Lord there are two things by which the Kings of *England* have beene prest, (to wit) by their subiects, and by their owne necessities. The Lords in former times were farre stronger, more warlike, better followed, living in their Countries, then now they are. Your Lordship may remember in your reading, that there were many Earles could bring into the field a thousand Barbed horses, many a Baron 5 or 600 Barbed horses, whereas now very few of them can furnish twenty fit to serve the King. But to say the truth my Lord, the Justices of Peace in *England*, have oppos'd the injusticers of warre in *England*, the kings writ runs over all, & the great Seale of *England*, with that of the next Constables will serve the turne to affront the greatest Lords in *England* that shall move against the King. The force therefore by which our Kings in former times were troubled, is vanisht away. But the necessities remaine. The people therefore in these later ages, are no lesse to bee pleased then the Peeres; for as the later are become lesse, so by reason of the trayning through *England*, the Commons

have all the weapons in their hands.

Covn: And was it not so ever?

Ivst: No my good Lord; for the Noblemen had in their Armories, to furnish some of them a thousand some 2 thousand, some three thousand men, whereas now there are not many that can arme fifty.

Covn: Can you blame them? But I will onely answere for my selfe, betweene you and me be it spoken, I holde is not safe to maintaine so great an Armory or Stable, it might cause me, or any other Nobleman to be suspected, as the preparing of some Innovation.

Ivst. Why so my Lord, rather to bee commended as preparing against all danger of Innovation.

Covn. It should be so, but call your observation to accompt, and yon shall find it as I say, for (indeed) such a jealous sie hath beene held ever since the time of the Ciuill wars, over the Military greatnes of our Nobles, as made them have little will to bend their studies that wayes: wherefore let every man provide according as he is rated in the Muster Booke, you vnderstand me.

Ivst. Very well my Lord, as what might be replyed in the perceiving so much; I have ever (to deale plainly and freely with your Lordship) more fear'd at home popular violence, then all the forreine that can be made, for it can never be in the power of any forraigne Prince, without a Papisticall party, rither to disorder or endanger his Maiesties Estate.

Covn. By this it seemes, it is no lesse dangerous for a King to leave the power in the people, then in the Nobility.

Ivst. My good Lord, the wisdome of our owne age, is the foolishnesse of another, the time present ought not to bee preferr'd to the policy that was, but the policy that was, to the time present, So that the power of the Nobility being now withered, and the power of the people in the flower, the care to content them would not be neglected, the way to win them often practized, or at least to defend them from oppression. The motive of all dangers that ever this Monarchy

chy hath vndergone, should bee carefully heeded, for this Maxime hath no posterne, *Potestas humana radicatur in voluntatibus hominum.* And now my Lord, for King *Edward* it is true, though he were not subiect to force, yet was hee subject to necessity, which because it was violent, hee gave way vnto it, *Potestas* (saith *Pythagoras*) *juxta necessitatem habitat.* And it is true, that at the request of the house he discharged and put from him those before named, which done, he had the greatest gift (but one) that ever he received in all his dayes (to wit) from every person, man and woman above the age of fourteen yeares, 4l. of old mony, which made many Millions of Groats, worth 6l. of our mony. This he hadin generall, besides he had of every beneficed Priest, 12d. And of the Nobility and Gentry, I know not how much, for it is not set down. Now my good Lord, what lost the King by satisfying the desires of the Parliament house; for assoone as hee had the mony in purse, he recalled the Lords, and restored them, and who durst call the King to accompt, when the Assembly were dissolved. *Where the word of a King is, there is power* (saith *Ecclesiasticus*) *who shall say vnto him, what doest thou?* saith the same Author, for every purpose there is a time & iudgement, the King gave way to the time, & his iudgement perswaded him to yeeld to necessity, *Consularium nemo melior est quam tempus.*

COVN. But yet you see the King was forc'd to yeeld to their demands.

IVST. Doth your Lordship remember the saying of *Monsieur de Lange*, that he that hath the profit of the warre, hath also the honour of the warre, whether it be by battaile or retreate, the King you see had the profit of the Parliament, and therefore the honour also, what other end had the king then to supply his wants, A wise man hath evermore respect vnto his ends: And the King also knew that it was the love that the people bare him, that they vrged the removing of those Lords, there was no man among them that sought himselfe in that desire, but they all sought the King, as by the successe it appeared. My good Lord, hath it not beene ordinary

in *England* and in *France* to yeeld to the demaunds of rebels, did not King *Richard* the ſecond graunt pardon to the outragious roagues and murtherers that followed *Iack Straw*, and *Wat Tyler*, after they had murthered his Chancellor, his Treaſurer, Chiefe Iuſtice and others, brake open his Exchequer, and committed all manner of outrages and villanies, and why did he doe it, but to avoid a greater danger: I ſay the Kings have then yeelded to thoſe that hated them & their eſtates, (to wit) to pernicious rebels. And yet without diſhonour, ſhall it be called diſhonour for the King to yeeld to honeſt deſires of his ſubjects. No my Lord, thoſe that tell the King thoſe tales, feare their own diſhonour, and not the Kings; for the honour of the King is ſupreame, and being guarded by Iuſtice and piety, it cannot receive neither wound nor ſtayne.

COVN. But Sir, what cauſe have any about our King to feare a Parliament?

IVST. The ſame cauſe that the Earle of *Suffolke* had in *Richard* the ſeconds time, and the Treaſurer *Fartham*, with others, for theſe great Officers being generally hated for abuſing both the King and the Subiect, at the requeſt of the States were diſcharged, and others put in their roomes.

COVN. And was not this a diſhonour to the King?

IVST. Certainly no, for King *Richard* knew that his Grandfather had done the like, and though the King was in his heart vtterly againſt it, yet had hee the profit of this exchange; for *Suffolke* was fined at 20000 markes, and 1000l. lands.

COVN. Well Sir, wee will ſpeake of thoſe that feare the Parliament ſome other time, but I pray you goe on with that, that happened in the troubleſome raigne of *Richard* the ſecond who ſucceeded, the Grandfather being dead.

IVST. That King, my good Lord, was one of the moſt vnfortunate Princes that ever *England* had, hee was cruell, extreame prodigall, and wholly carryed away with his two Minions, *Suffolk*, & the Duke of *Ireland*, by whoſe ill advice & others,

others, he was in danger to have loſt his eſtate; which in the end (being led by men of the like temper) hee miſerably loſt. But for his ſubſedies hee had given him in his firſt yeare being vnder age two tenths, and two fifteenes: In which Parliament, *Alice Peirce*, who was removed in King *Edwards* time, with *Lancaſter*, *Latimer*, and *Sturry*, were confiſcate and baniſhed, in his ſecond yeare at the Parliament at *Glocester*, the King had a marke vpon every ſacke of Wooll, and 6d. the pound vpon wards. In his third yeare at the Parliament at *Wincheſter*, the Commons were ſpared, and a ſubſedy given by the better ſort, the Dukes gave 20 markes, and Earles 6 markes, Biſhops and Abbots with myters ſixe markes, every marke 3s. 4d. and every Knight, Iuſtice, Eſquier, Shrieue, Parſon, Vicar, and Chaplaine, paid proportionably according to their eſtates.

COVN. This me thinkes was no great matter.

IVST. It is true my Lord, but a little mony went farre in thoſe dayes: I my ſelfe once moved it in Parliament in the time of Queene *Elizabeth*, who deſired much to ſpare the Common people, and I did it by her Commandement; but when we caſt vp the ſubſedy Bookes, wee found the ſumme but ſmall, when the 30 l. men were left out. In the beginning of his fourth yeare, a tenth with a fifteen were granted vpon condition, that for one whole yeare no ſubſedies ſhould bee demanded; but this promiſe was as ſuddainly forgotten as made, for in the end of that yeare, the great ſubſedy of Poll mony was granted in the Parliament at *Northampton*.

COVNS. Yea, but there followed the terrible Rebellion of *Baker*, *Straw*, and others, *Leiſter*, *Wrais*, and others.

IVST. That was not the fault of the Parliament my Lord, it is manifeſt that the ſubſedy given was not the cauſe; for it is plaine that the bondmen of *England* began it, becauſe they were grievouſly preſt by their Lords in their tenure of Villenage, as alſo for the hatred they bare to the Lawyers and Attorneyes: for the ſtory of thoſe times ſay, that they deſtroyed the houſes and Manours of men of Law, and ſuch Lawyers as they caught, ſlew them, and beheaded the Lord

chiefe

chiefe Iuſtice, which commotion being onee begun, the head mony was by other Rebels pretended : A fire is often kindled with a little ſtraw, which oftentimes takes hold of greater timber, and conſumes the whole building : And that this Rebellion was begun by the diſcontented ſlaues (whereof there have beene many in Elder times the like) is manifeſt by the Charter of *Manumiſſion*, which the King granted, *in hac verba*, *Rich. Dei gratia*, &c *Sciat iu quod de gratiâ noſtrâ ſpirituali manumiſſimus*, &c. to which, ſeeing the King was conſtrained by force of Armes, he revoked the Letters Pattents, and made them voide, the ſame revocation being ſtrenthened by the Parliament enſuing, in which the King had given him a ſubſedy vpon Woolls, called a *Maletot* : In the ſame fourth yeare was the *Lord* Treaſurer diſcharged of his Office, and *Hales* Lord of St. *Iohns* choſen in his place, in his fift yeare was the Treaſurer againe changed, and the Staffe given to *Segrane*, and the *Lord* Chancellour was alſo changed, and the ſtaffe given to the Lord *Scroope* : Which Lord *Scroope* was againe in the beginning of his ſixt yeare turned off, and the King after that he had for a while kept the Seale in his owne hand, gave it to the Biſhop of *London*, from whom it was ſoone after taken and beſtowed on the Earle of *Suffolke*, who they ſay had abuſed the King, and converted the Kings Treaſure to his owne vſe. To this the King condiſcended, and though (ſaith *Walſingham*) he deſerved to looſe his life and goods, yet he had the favour to goe at liberty vpon good ſureties, and becauſe the K. was but yong, and that the reliefe granted was committed to the truſt of the Earle of *Arundell* for the furniſhing of the Kings Navy againſt the *French*.

Covn. Yet you ſee it was a diſhonour to the King to have his beloved Chancellour removed.

Ivst. Truly no, for the K. had both his fine 1000l lãds & a ſubſedy to boot And though for ỹ preſent is pleaſed the K. in fancy a man all the world hated (the Ks. paſſion overcomming his judgement) yet it cannot be cal'd a diſhonor, for the K. is to believe the generall counſell of the kingdom, and to prefer it before his affection, eſpecially when *Suffolke* was proved to be falſe even to the K. for were it otherwiſe love and affection might

might be called a frenzie and a madneſſe, for it is the nature of humane paſſions, that the love bred by fidelity, doth change it ſelf into hatred, when the fidelity is firſt changed into falſhood.

Govn. But you ſee there were thirteene Lords choſen in the Parliament, to have the overſight of the government under the King.

Jvst. No my Lord, it was to have the overſight of thoſe Officers, which (ſaith the ſtory) had imbezeled, lewdly waſted, and prodigally ſpent the Kings Treaſure, for to the Commiſſion to thoſe Lords, or to any ſixe of them, joyned with the Kings Counſell, was one of the moſt royall and moſt profitable that ever he did, if he had been conſtant to himſelfe. But my good Lord, man is the cauſe of his owne miſery, for I will repeate the ſubſtance of the commiſſion granted by the King, and confirmed by Parliament, which whether it had been profitable for the King to have proſecuted, your Lordſhip may judge. The preamble hath theſe words: *Whereas our Soveraigne Lord the King perceiveth by the grievous complaints of the Lords and Commons of this Realm, that the rents, profits, and revennes of this Realme, by the ſingular and inſufficient Counſell and evill government, as well of ſome his late great Officers, and others, &c. are ſo much withdrawne, waſted, ſeloyned, given, granted, alienated, deſtroyed, and evill diſpended, that he is ſo much impoveriſhed and void of treaſure and goods, and the ſubſtance of the Crowne ſo much diminiſhed and deſtroyed, that his eſtate may not honorably be ſuſtained as appertaineth. The King of his free will at the Lords and Commons hath ordained* William *Archbiſhop of* Canterbury *and others with his Chancellour, Treaſurer, keeper of his Privie Seale, to ſurvey and examine as well the eſtate and governance of his houſe, &c. as of all the rents, and profits, and revennes to him appertaineth, and to be due, or ought to appertaine and be due, &c. and all manner of gifts, grants, alienations and confirmations made by him of lands, tenements, rents, &c. bargained and ſold to the prejudice of him and his Crown, &c. and of his Iewels and goods which were his Grandfathers at the time of his death, &c. and where they be become.*

This is in effect the ſubſtance of the commiſſion, which your Lordſhip may read at large in the Booke of Statutes, this commiſſion being enacted in the tenth yeare of the Kings reigne. Nom if ſuch a commiſſion were in theſe daies granted to the faithfull men, that have no intereſt in the ſales, gifts, nor purchaſes, nor in the keeping of the Iewells at the Queenes death, nor in the obtaining graunts of the Kings beſt lands, I cannot ſay what may be recovered, and iuſtly recovered; and what ſay your Lordſhip, was not this a noble acte for the King, if it had beene followed to effect?

Covns. I cannot tell whether it were or no, for it gave power to the Commiſſioners to examine all the graunts.

Jvst. Why my Lord, doth the King grant any thing, that ſhames at the examination? are not the Kings grants on record?

Covn. But by your leaue, it is ſome diſhonour to a King to have his judgement called in queſtion.

Ivst. That is true my Lord, but in this, or whenſoever the like ſhall bee granted in the future, the Kings iudgement is not examined, but their knavery that abuſed the King. Nay by your favour, the contrary is true, that when a King will ſuffer himſelfe to bee eaten vp by a company of petty fellowes, by himſelfe raiſed, therein both the judgement and courage is diſputed. And if your Lordſhip will diſdaine it at your owne ſervants hands, much more ought the great heart of a King, to diſdaine it. And ſurely my Lord, it is a greater treaſon (though it vndercreepe the law) to teare from the Crowne the ornaments thereof: And it is an infallible maxime, that he that loves not his Maieſties eſtate, loves not his perſon.

Covns. How came it then, that the Acte was not executed?

Jvst. Becauſe theſe, againſt whom it was granted, perſwaded the King to the contrary: As the Duke of *Ireland*, *Suffolke*, the chiefe Iuſtice *Triſilian*, & others, yea, that which was lawfully done by the King, and the great Counſell of the kingdome, was (by the maſtery which *Ireland*, *Suffolke*, and

and *Treſilian* had over the Kings affections) broken and diſavowed. Thoſe that deviſed to relieve the King, not by any private intention, but by generall Councell, were by a private and partiall aſſembly, adjudged traytors, and the moſt honeſt Iudges of the land, enforced to ſubſcribe to that judgement. Inſomuch, that Iudge *Belknap* plainely told the Duke of *Ireland*, and the Earle of *Suffolke*, when hee was conſtrained to ſet to his hand, plainely told thoſe *L*ords, that he wanted but a rope, that he might therewith receive a reward for his ſubſcription. And in this Councell of *Nottingham* was hatched the ruine of thoſe which governed the King, of the Iudges by them conſtrained, of the Lords that loved the King, and ſought a reformation, and of the King himſelfe; for though the King found by all the Shreeves of the ſhires, that the people would not fight againſt the *L*ords, whom they thought to bee moſt faithfull unto the King, when the Citizens of *London* made the ſame anſwere, beeing at that time able to arme 50000 men, and told the Major, that they would never fight againſt the Kings friends, and defenders of the Realme, when the Lord *Ralph Baſſet*, who was neere the K. told the King boldly, that hee would not adventure to have his head broken for the Duke of *Irelands* pleaſure, when the Lord of *London* told the Earle of *Suffolke* in the Kings preſence, that hee was not worthy to live, &c. yet would the King in the defence of the deſtroyers of his eſtate, lay ambuſhes to entrap the Lords, when they came vpon his faith; yea when all was pacified, and that the King by his Proclamation had clear'd the Lords, and promiſed to produce *Ireland*, *Suffolke*, & the Archbiſhop of *Yorke*, *Treſilian*, & *Bramber*, to anſwer at the next Parliament, theſe men confeſt, that they durſt not appeare; and when *Suffolke* fled to *Callice*, and the Duke of *Ireland* to *Cheſter*, the King cauſed an army to be leavied in *Lancaſhire*, for the ſafe conduct of the Duke of *Ireland* to his preſence, when as the Duke being encountered by the Lords, ranne like a coward from his company, and fled into *Holland*. After this was holden a Parliament, which was called that wrought wonders. In the eleventh yeare

of this King, wherein the forenamed Lords, the Duke of *Ireland* and the reſt, were condemned and confiſcate, the Chiefe Iuſtice hang'd with many others, the reſt of the Iudges condemned and baniſht, and a 10th and a 15th given to the King.

Covn. But good Sir, the King was firſt beſieged in the Tower of *London*, and the Lords came to the Parliament, and no man durſt contradict them.

Ivst. Certainly in raiſing an Army, they committed treaſon, and though it did appeare, that they all loved the King, (for they did him no harme, having him in their power) yet our law doth conſtrue all leavying of war without the Kings commiſſion, and all force raiſed to be intended for the death & deſtruction of the K. not attending the ſequell. And it is ſo judged vpon good reaſon, for every vnlawfull and ill action is ſuppoſ'd to be accompanied with an ill intent, and beſides, thoſe Lords vſed too great cruelty, in procuring the ſentence of death againſt divers of the Kings ſervants, who were bound to follow and obey their Maſter and Soveraigne Lord, in that he commanded.

Covns. It is true, and they were alſo greatly to blame, to cauſe then ſo many ſeconds to be put to death, ſeeing the principalls, *Ireland*, *Suffolke*, and *Yorke* had eſcaped them. And what reaſon had they to ſeeke to enforme the State by ſtrong hand, was not the Kings eſtate as deere to himſelfe, as to them? He that maketh a King know his error mannerly and private, and gives him the beſt advice, hee is diſcharged before God and his owne conſcience. The Lords might have retired themſelves, when they ſaw they could not prevaile, and have left the king to his own waies, who had more to looſe then they had.

Ivst. My Lord the taking of Armes cannot be excuſed in reſpect of the law, but this might be ſaid for the Lords that the King being vnder yeares, & being wholly governed by their enemies, & the Enemies of the kingdome, & becauſe by thoſe evill mens perſwaſions, it was adviſed, how the Lords ſhould have been murthered at a feaſt in *London*, they were excuſable during the kings minority to ſtand vpon their guards againſt

their

their particular enemies. But we will paſſe it over and goe on with our Parliaments that followed, whereof that of *Cambridge* in the Ks 12th yeare was the next, therein the K. had given him a 10th & a 15, after which, being 20 yeares of age rechanged (ſaith *H. Kinghton*) his Treaſurer, his Chancellor, the Iuſtices of either bench, the Clerk of the privy ſeale & others, & tooke the government into his own hands. Hee alſo tooke the Admirals place from the Earle of *Arundell*, & in his roome hee placed the Earle of Huntington in the yeare following, which was the 13 yeare of the K. in the Parliament at Weſtminſter, there was given to the King vpon every ſacke of wooll 14 s. and 6 d. in the pound vpon other marchandize.

Covns. But by your leave, the King was reſtrained this parliament, that hee might not diſpoſe of, but a third part of the money gathered.

Jvst. No my Lord, by your favour. But true it is that part of this mony was by the Kings conſent aſſigned towards the wars, but yet left in the Lord Treaſurers hands, And my Lord it would be a great eaſe, and a great ſaving to his Majeſty our Lord and Maſter, if it pleaſed him to make his aſſignations vpon ſome part of his revenewes, by which he might have 1000, vpon every 100001, and ſave himſelfe a great deale of clamour. For ſeeing of neceſſity the Navy muſt bee maintained, and that thoſe poore men aſwell Carpenters as ſhip keepers muſt be paid, it were better for his Majeſty to give an aſſignation to the treaſurer of his Navy for the receiving of ſo much as is called ordinary, then to diſcontent thoſe poore men, who being made deſperate beggers, may perchance be corrupted by them that lye in waite to deſtroy the Ks eſtate. And if his Maieſty did the like in all other payments, eſpecially where the neceſſity of ſuch as are to receive, cannot poſſible give dayes, his Majeſty might then in a little rowle behold his receipts and expences, hee might quiet his heart when all neceſſaries were provided for, and then diſpoſe the reſt at his pleaſure. And my good Lord, how excellently and eaſily might this have bin done, if the 400001. had beene raiſed as aforeſaid vpon the Kings lands, and Wards, I ſay that his Majeſties houſe, his navy, his guards, his penſioners,

his munition, his Ambaſſadors and all elſe of ordinary charge might have beene defrayed, and a great ſumme left for his Maieſties caſuall expences and rewards, I will not ſay they were not in love with the Kings eſtate, but I ſay they were vnfortunately borne for the King that croſt it.

Covn. Well Sir, I would it had beene otherwiſe, But for the aſſignments, there are among us that will not willingly indure it. Charity begins with it ſelfe, ſhall wee hinder our ſelves of 500001. *per annũ* to ſave the King 20 ? No Sir, what will become of our New-yeares gifts, our preſents and gratuities ? We can now ſay to thoſe that have warrants for money, that there is not a penny in the Exchequer, but the King gives it away vnto the Scots faſter then it comes in.

Ivst. My Lord you ſay well, at leaſt you ſay the trueth, that ſuch are ſome of our anſweres, and hence comes that generall murmure to all men that have money to receive, I ſay that there is not a penny given to that nation, be it for ſervice or otherwiſe but it is ſpread ouer all the kingdome : yea they gather notes, and take copies of all the priuy ſeales and warrants that his Majeſty hath given for the money for the Scots, that they may ſhew them in Parliament. But of his Majeſties gifts to the Engliſh, there is no bruite though they may be tenne times as much as the Scots, And yet my good Lord, howſoever they be thus anſwered that to them ſue for money out of the Exchequer, it is due to them for 10, or 12, or 20 in the hundred, abated according to their qualities that ſue, they are alwayes furniſhed. For concluſion, if it would pleaſe God to put into the Kings heart to make their aſſignations, it would ſave him many a pound, and gaine him many a prayer, and a great deale of love; for it grieveth every honeſt mans heart to ſee the abundance which even the petty officers in the Exchequer, and others gather both from the king and ſubject, and to ſee a world of poore men runne after the King for their ordinary wages.

Covn. Well, well, did you never heare this olde tale, that when there was a great contention about the weather, the Sea-men complaining of contrary windes, when thoſe of the

the high Countries desired raine, and those of the Valleyes sunshining dayes, *Iupiter* sent them word by *Mercury*, then when they had done, the weather should bee as it had beene, and it shall ever fall out so with them that complaine, the course of payments shall be as they have beene, what care we what petty fellowes say? or what care we for your papers? have not we the Kings eares, who dares contest with vs? though we cannot be revenged on such as you are for telling the trueth, yet vpon some other pretence, wee'le clap you vp, and you shall sue to us ere you get out. Nay wee'le make you confesse that you were deceived in your proiects, and eate your owne words, learne this of me Sir, that as a little good fortune is better then a great deale of vertue. so the least authority hath advantage over the greatest wit, was he not the wisest man that said, *the battaile was not the strongest, nor yet bread for the wise, nor riches to men of vnderstanding, nor favour to men of knowledge:* but what time & chance came to them all.

IVST. It is well for your Lordship that it is so. But Queene *Elizabeth* would set the reason of a meane man, before the authority of the greatest Counceller she had, and by her patience therein shee raised vpon the vsuall and ordinary customes of London without any new imposition above 50000l a yeare, for though the Treasurer *Burleigh*, and the Earle of Leicester, and Secretary *Walsingham* all three pensioners to Customer *Smith* did set themselves against a poore waiter of the Custome-house called *Carwarden*, and commanded the groomes of the privie Chamber not to give him accesse, yet the Queene sent for him, and gave him countenance against them all. It would not serve the turne, my Lord, with her; when your Lordships would tell her, that the disgracing her great officers by hearing the complaints of busie heads, was a dishonour to her selfe, but shee had alwayes this answere, *That if any man complaine vniustly against a Magistrate, it were reason he should be severely punished, if iustly, she was Queen of the small, as well as of the great, and would heare their complaints*, For my good Lord, a Prince that suffereth himselfe

himselfe to be besieged, forsaketh one of the greatest regalities belonging to a Monarchy, to wit, the last appeale, or as the French call it, *le dernier ressort*.

COVN. Well Sir, this from the matter, I pray you goe on.

IVST. Then my Lord, in the Kings 15th yeare he had a tenth and at fifteene granted in Parliament of London. And that same yeare there was a great Councell called at Stamford to which divers men were sent for, of divers countries besides the Nobility, of whom the King tooke advice whether he should continue the Warre, or make a finall end with the French.

COVN. What needed the King to take the advice of any but of his owne Councell in matter of peace or Warre.

IVST. Yea my Lord, for it is said in the Proverbes, *Where are many counsellers, there is health.* And if the King had made the warre by a generall consent, the Kingdome in generall were bound to maintaine the warre, and they could not then say when the King required ayde, that he vndertooke a needlesse warre.

COVN. You say well, but I pray you goe on.

IVST. After the subsedy in the 15th yeare, the King desired to borrow 100001. of the Londoners, which they refused to lend.

COVN. And was not the King greatly troubled therewith.

IVST. Yea, but the King troubled the Londoners soone after, for the King tooke the advantage of a Ryot made vpon the Bishop of Salisbury his men, sent for the Maior, and other the ablest Citizens, committed the Maior to prison in the Castle of Windsor, and others to other Castles, and made a Lord Warden of this City, till in the end what with 100001. ready money, and other rich presents, instead of lending 10000 l. it cost them 200001. Betweene the fifteenth yeare and twentith yeare, hee had two aydes given him in the Parliaments of Winchester and Westminster: and this latter was given to furnish the Kings Iourney into *Ireland* to establish that estate which was greatly shaken since the death of the

the Kings Grandfather, who received thence yearly 3000 l'. and during the Kings ſtay in Ireland he had a 10th. and a 15th. granted.

Couns. And good reaſon, for the King had in his Army 4000. horſe, and 30000. foot.

Just. That by your favour, was the Kings ſanity: for great Armies do rather devoure themſelves then deſtroy enemies. Such an army, (wherof the fourth part would have conquered all Ireland) was in reſpect of Ireland ſuch an Army as *Xerxes* led into Greece in this twentieth yeere, wherein hee had a tenth of the Clergy, was the great conſpiracie of the Kings Uncle, the Duke of Glocester, and of Maubre, Arundell, Nottingham, and Warwick, the Archbiſhop of Canterbury, and the Abbot of Weſtminſter, and others who in the 21. yeare of the King were all redeemed by Parliament: And what thinkes your Lordſhip, was not this Aſſembly of the 3. ſtates for the Kings eſtate, wherein hee ſo prevailed, that hee not onely overthrew thoſe popular Lords, but beſides (the Engliſh Chronicle ſaith, the King ſo wrought and brought things about, that he obtained the power of both houſes to be granted to certaine perſons, to 15. Noblemen and Gentlemen, or to ſeven of them.

Couns. Sir, whether the King wrought well or ill I cannot judge, but our Chronicles ſay, that many things were done in this Parliament, to the diſpleaſure of no ſmall number of people, to wit, for that diverſe rightfull heires were diſinherited of their lands and livings, with which wrongfull doings the people were much offended, ſo that the King with thoſe that were about him, and chiefe in counſell, came into great infamy and ſlander.

Just. My good Lord, if your Lordſhip will pardon me, I am of opinion that thoſe Parliaments wherein the Kings of this Land have ſatisfied the people, as they have been ever proſperous, ſo where the King hath reſtrained the houſe, the contrary hath hapned, for the Kings atchievement in this Parliament, were the ready preparations to his ruine.

Coun. You mean by the general diſcontetmēt that follow-

ed, and becauſe the King did not proceed legally with Gloceſter and others. Why Sir, this was not the firſt time that the Kings of England have done things without the Councell of the land: yea, contrary to Law.

Just. It is true my Lord in ſome particulars, as even at this time the Duke of Gloceſter was made away at Calice by ſtrong hand, without any lawfull triall: for he was a man ſo beloved of the people and ſo allied, having the Dukes of Lancaſter, and Yorke his brethren, the Duke of Aumarle, and the Duke of Herford his Nephewes, the great Earles of Arundell and Warwicke, with diverſe other of his part in the conſpiracie, as the King durſt not trye him according to the law: for at the tryall of Arundell and Warwick, the King was forced to entertaine a petty Army about him. And though the Duke was greatly lamented, yet it cannot be denyed but that he was then a traytor to the King. And was it not ſo my Lord with the Duke of Guiſe: your Lordſhip doth remember the ſpur-gal'd proverbe, that *neceſſity hath no Law*: and my good Lord, it is the practice of doing wrong, and of generall wrongs done, that brings danger, and not where Kings are preſt in this or that particular, for there is great difference betweene naturall cruelty and accidentall. And therefore it was *Machiavels* advice, that *all that a King did in that kinde, he ſhall doe at once, and by his mercies afterwards make the world know that his cruelty was not affected.* And my Lord take this for a generall rule, that the immortal policie of a ſtate cannot admit any law or priviledge whatſoever, but in ſome particular or other, the ſame is neceſſarily broken, yea in an *Ariſtocratia* or popular eſtate, which vaunts ſo much of equality and common right, more outrage hath beene committed then in any Chriſtian Monarchy.

Couns. But whence came this hatred betweene the Duke and the King his Nephew.

Just. My Lord, the Dukes conſtraining the King, when he was young, ſtucke in the Kings heart, and now the Dukes proud ſpeech to the King when he had rendred *Breſt* formerly

merly ingaged to the Duke of *Brittaine*, kindled againe these coales that were not altogether extinguished, for he used these words: *Your Grace ought to put your body in great paine, to winne a strong Hold or Towne by feates of Armes, ere you take upon you to sell or deliver any Towne gotten by the manhood and strong hand and policie of your noble Progenitors.* Whereat, saith the storie, the King changed his countenance, &c. And to say truth, it was a proud and masterly speech of the Duke; besides that, inclusively he taxed him of sloath and cowardize, as if he had never put himselfe to the adventure of winning such a place: undutifull words of a subject doe often take deeper root then the memorie of ill deedes doe: The Duke of *Biron* found it, when the King had him at advantage. Yea, the late Earle of *Essex* told Queene *Elizabeth*, that her conditions was as crooked as her carkas: but it cost him his Head, which his Insurrection had not cost him, but for that speech. *Who will say unto a King* (saith *Iob*) *thou art wicked?* Certainely, it is the same thing to say unto a Lady, Thou art crooked (and perchance more) as to say unto a King, that he is wicked, and to say that he is a Coward, or to use any other words of disgrace, it is one and the same errour. *Humanum est errare.*

Coun. But what say you for *Arundel*, a brave and valiant man, who had the Kings Pardon of his contempt during his minoritie.

Just. My good Lord, the Parliament which you say disputes the Kings Prerogative, did quite contrary, & destroyed the Kings Charter and Pardon formerly given to *Arundel*. And my good Lord, doe you remember, that at the Parliament that wrought wonders, when these Lords compounded that Parliament, as the King did this, they were so mercilesse towards all that they thought their enemies, as the Earle of *Arundel* most insolently suffered the Qu: to kneele unto him three houres for the saving of one of her servants: and that scorn of his *manebat alto mente repostum*. And to say the truth, it is more barbarous and unpardonable then any act that ever he did, to permit the Wife of his Soveraigne to

kneele to him, being the Kings vaſſaile. For if he had ſaved the Lords ſervant freely at her firſt requeſt, as it is like enough that the Qu: would alſo have ſaved him, *Miſeris ſuccurrens paria obtinebis aliquando.* For your Lordſhip ſees that the Earle of Warwicke, who was as farre in the treaſon as any of the reſt, was pardoned. It was alſo at this Parliament that the Duke of Hereford accuſed *Mowbray* Duke of Norfolke, and that the Duke of Hereford, ſonne to the Duke of Lancaſter, was baniſhed, to the Kings confuſion, as your Lordſhip well knowes.

COUNS. I know it well, and God knowes that the K. had then a ſilly and weake Counſell about him, that perſwaded him to baniſh a Prince of the blood, a moſt valiant man, and the beſt beloved of the people in generall of any man living, eſpecially conſidering that the K. gave every day more then other offence to his ſubjects. For beſides that he fined the inhabitants that aſſiſted the Lords in his Minoritie of the 17 ſhires, which offence he had long before pardoned, his blank Charters, and letting the Realme to farme to meane perſons, by whom he was wholly adviſed, increaſed the peoples hatred towards the preſent government.

JUST. You ſay well my L. Princes of an ill deſtiny doe alwayes follow the worſt counſell, or at leaſt imbrace the beſt after opportunitie is loſt, *Qui conſilia non ex ſuo corde ſed alienis viribus colligunt, non animo ſed auribus cogitant.* And this was not the leaſt griefe of the ſubject in generall, that thoſe men had the greateſt part of the ſpoile of the cõmonwealth, which neither by vertue, valour or counſell could adde any thing unto it: *Nihil eſt ſordidius, nihil crudelius* (ſaith *Anto: Pius*) *quã ſi Remp. ij arrode, qui nihil in eam ſuo labore conferent.*

COUNS. Indeede the letting to farme the Realme was very grievous to the ſubject.

JUST. Will your Lordſhip pardon me, if I tell you that the letting to farme of his Majeſties Cuſtomes (the greateſt Revenue of the Realme) is not very pleaſing.

COUNS. And why I pray you, doth not the K. thereby raiſe his profits every third yeare, and one farmer out-bids another, to the Kings advantage.

JUST.

Just. It is true my Lord, but it grieves the ſubject to pay cuſtome to the ſubject, for what mightie men are thoſe Farmers become: and if thoſe Farmers get many thouſands every yeare, as the world knowes they doe, why ſhould they not now (being men of infinite wealth) declare unto the K. upon oath, what they have gained, and henceforth become the Kings Collectors of his Cuſtome? Did not Queene *Elizabeth*, who was reputed both a wiſe and juſt Princeſſe, after ſhee had brought *Cuſtomer Smith* from 14000 l'. a yeare to 42000 l'. a yeare, made him lay downe a recompence for that which he had gotten? And if theſe Farmers doe give no recompence, let them yet preſent the King with the truth of their receivings and profits. But my Lord for concluſion, after *Bullingbrooke* arriving in *England* with a ſmall troupe; notwithſtanding the King at his landing out of *Ireland*, had a ſufficient and willing armie; yet he wanting courage to defend his right, gave leave to all his ſouldiers to depart, and put himſelfe into his hands that caſt him into his grave.

Couns. Yet you ſee, he was depos'd by Parliament.

Just. Aſwell may your Lordſhip ſay he was knockt in the head by Parliament; for your Lordſhip knowes, that if King *Richard* had ever eſcaped out of their fingers, that depoſed him, the next Parliament would have made all the depoſers traytors and rebels, and that juſtly. In which Parliament, or rather unlawfull aſſembly, there appeared but one honeſt man, to wit, the B. of *Carliel*, who ſcorned his life and eſtate, in reſpect of right and his allegeance, and defended the right of his Soveraigne Lo: againſt the K. elect and his partakers.

Couns. Well, I pray goe on with the Parliaments held in the time of his ſucceſſor *Henry* the fourth.

Just. This King had in his third yeare a Subſedie, and in his fifth a Tenth of the Clergie, without a Parliament: In his ſixth yeare he had ſo great a Subſedie, as the Houſe required there might be no record thereof left to poſteritie; for the Houſe gave him 20 s. of every Knights Fee, and of every 20 l'. land 20 s. and 12 d. the pound of goods.

Couns. Yea, in the end of this yere, the Parliament preſt the

King to annex unto the Crowne all temporall poſſeſſions belonging to Church-men within the Land, which at that time was the third foot of all *England*. But the Biſhops made friends, and in the end ſaved their eſtates.

Just. By this you ſee, my Lord that *Cromwell* was not the firſt that thought on ſuch a buſineſſe. And if King *Henry* the 8th had reſerved the Abbeyes, and other Church lands, which he had given at that time, the Revenue of the Crowne of *England* had exceeded the Revenue of the Crowne of *Spaine*, with both the *Indies*; whereas uſed as it was, (a little enriched the Crowne) ſerved but to make a number of petty-foggers, and other gentlemen.

Couns. But what had the King in ſtead of this great Revenue?

Just. He had a 15th of the Commons, and a Tenth and a halfe of the Clergie; and withall, all penſions granted by King *Edward* and King *Richard*, were made void. It was alſo moved, that all Crowne Lands formerly given (at leaſt given by K. *Ed.* and K. *Rich.*) ſhould be taken back.

Couns. What thinke you of that, Sir? Would it not have beene a diſhonour to the King? And would not his Succeſſors have done the like to thoſe that the King had advanced?

Just. I cannot anſwere your Lordſhip, but by diſtinguiſhing: for where the Kings had given Land for ſervices, and had not beene over-reached in his gifts, there it had beene a diſhonour to the King, to have made void the Grants of his predeceſſors, or his Grants; but all thoſe Grants of the Kings wherein they were deceived, the very cuſtome and policie of *England* makes them void at this day.

Couns. How meane you that? for his Majeſtie hath given a great deale of Land among us ſince he came into *England*, and would it ſtand with the Kings honour to take it from us againe?

Just. Yea, my Lord, very well with the Kings honour, if your Lordſhip, or any Lord elſe, have under the name of 100 l. land a yeare, gotten 500 l. land, and ſo after that rate.

Couns.

Couns. I will never beleeve that his Majeſty will ever doe any ſuch thing.

Just. And I beleeve as your Lordſhip doth, but we ſpake e're-while of thoſe that diſſwaded the King from calling it a Parliament: And your Lordſhip asked me the reaſon, why any man ſhould diſſwade it, or feare it, to which, this place gives me an opportunity to make your Lordſhip an anſwer, for though his Majeſty will of himſelfe never queſtion thoſe grants, yet when the Commons ſhall make humble petition to the King in Parliament, that it will pleaſe his Majeſty to aſſiſt them in his reliefe, with that which ought to be his owne, which, if it will pleaſe his Majeſty to yeeld unto, the houſe will moſt willingly furniſh and ſupply the reſt, with what grace can his Majeſty deny that honeſt ſuite of theirs; the like having beene done in many Kings times before? This proceeding, my good Lord, may perchance prove all your phraſes of the Kings honour, falſe *Engliſh*.

Couns. But this cannot concern many, and for my ſelfe, I am ſure it concernes me little.

Just. It is true my Lord, and there are not many that diſſwade his Majeſty from a Parliament.

Couns. But they are great ones, a few of which will ſerve the turne well enough.

Just. But my Lord, be they never ſo great (as great as Gyants) yet if they diſſwade the King from his ready and aſſured way of his ſubſiſtence, they muſt deviſe how the K. may be elſe-where ſupplied, for they otherwiſe run into a dangerous fortune.

Couns. Hold you contented Sir, the King needes no great diſſwaſion.

Just. My Lord, learn of me, that there is none of you all, that can pierce the King. It is an eſſentiall property of a man truly wiſe, not to open all the boxes of his boſome, even to thoſe that are neereſt and deareſt unto him, for when a man is diſcovered to the very bottome, he is after the leſſe eſteemed. I dare undertake, that when your Lordſhip hath ſerved the King twice twelve yeares more, you will finde, that his

Majeſty

Majeſtie hath reſerved ſomewhat beyond all your capacities, his Majeſty hath great reaſon to put off the Parliament, as his laſt refuge, and in the meane time, to make tryall of all your loves to ſerve him, for his Majeſty hath had good experience, how well you can ſerve your ſelves: But when the King findes, that the building of your owne fortunes and factions, hath beene the diligent ſtudies, and the ſervice of his Majeſty, but the exerciſes of your leiſures: Hee may then perchance caſt himſelf upon the generall love of his people, of which (I truſt) hee ſhall never be deceived, and leave as many of your Lordſhips as have pilfered from the Crowne, to their examination.

COUNS. Well Sir, I take no great pleaſure in this diſpute, goe on I pray.

JUST. In that Kings 5th. yeare, hee had alſo a ſubſidy, which he got by holding the houſe together from Eaſter to Chriſtmas, and would not ſuffer them to depart. He had alſo a ſubſedy in this ninth yeare. In his eleventh year the Commons did again preſſe the King to take all the temporalities of the Church-men into his hands, which they proved ſufficient to maintaine 150. Earles, 1500. Knights, and 6400. Eſquires, with a hundred Hoſpitals, but they not prevailing, gave the King a ſubſedy.

Hen. 5. As for the notorious Prince, *Henry* the fifth, I find that he had given him in his ſecond yeare 300000. marks, and after that two other ſubſedies, one in his fifth yeare, another in his ninth, without any diſputes.

Hen. 6. In the time of his ſucceſſour *Henry* the ſixth, there were not many ſubſedies. In his third yeare, he had a ſubſedy of a Tunnage and Poundage. And here (ſaith *Iohn Stow*) began thoſe payments, which wee call cuſtomes, becauſe the payment was continued, whereas before that time it was granted but for a yeere, two, or three, according to the Kings occaſions. Hee had alſo an ayde and gathering of mony in his fourth yeare, and the like in his tenth yeere, and in his thirteenth yeare a 15th. He had alſo a fifteenth for the conveying

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of the Queene out of *France* into *England*. In the twenty eighth yeere of that King was the act of Resumption of all honours, townes, Castles, Signiories, villages, Manors, lands, tenements, rents, reversions, fees, &c. But because the wages of the Kings servants, were by the strictnesse of the Act also restrained, this Act of Resumption was expounded in the Parliament at *Reading* the 31. yeare of the Kings reigne.

Couns. I perceive that those Acts of Resumption were ordinary in former times; for King *Stephen* resumed the lands, which in former times hee had given to make friends during the Civill warres. And *Henry* the second resumed all (without exception) which King *Stephen* had not resumed; for although King *Stephen* tooke backe a great deale, yet hee suffered his trustiest servants to enjoy his gift.

Just. Yes my Lord, and in after times also; for this was not the last, nor shall be the last, I hope. And judge you my Lord, whether the Parliaments doe not only serve the King, whatsoever is said to the contrary: for as all King *Henry* the 6. gifts and grants were made void by the Duke of *Yorke*, when hee was in possession of the Kingdome by Parliament: So in the time of *K. H.* when *K. Edw.* was beaten out againe, the Parliament of *Westminster* made all his Acts void, made him & all his followers traytors, & gave the King many of their heads & lands. The Parliament of *England* do alwaies serve the King in possession, It serv'd *Rich.* the second to condemne the popular Lords. It serv'd *Bollingbrooke* to depose *Rich.* When *Edw.* the 4. had the Scepter, it made them all beggars that had followed *H.* the 6. And it did the like for *H.* when *Edw.* was driven out. The Parliaments are as the friendship of this world is, which alwayes followeth prosperity. For *K. Edw.* the 4. after that he was possessed of the Crowne, he had in his 13. year a subsidy freely given him: & in the yeare following, hee tooke a benevolence through *England*, which arbitrary taking fro the people, serv'd that ambitious traytor the Duke of Bucks. After the Kings death was a plausible argument to perswade the multitude,

that they should not permit (saith Sir *Thomas Moore*) his line to raigne any longer vpon them.

Couns. Well Sir, what say you to the Parliament of *Richard* the third his time?

Just. I finde but one, and therein he made diverse good Laws. For K. *Henry* the seventh in the beginning of his third yeare he had by Parliament an ayde granted vnto him, towards the relieſe of the Duke of *Britteine*, then aſſailed by the *French* King. And although the King did not enter into the warre, but by the advice of the three eſtates, who did willingly contribute: Yet thoſe Northern men which loued *Richard* the third, raiſed rebellion vnder colour of the mony impos'd, & murthered the Earle of *Northumberland* whom the King employd in that Collection. By which your Lordſhip ſees, that it hath not beene for taxes and impoſitions alone, that the ill diſpoſed have taken Armes: but even for thoſe payments which have beene appoynted by Parliament.

Couns. And what became of thoſe Rebels?

Just. They were fairely hang'd, and the mony levied notwithſtanding, in the Kings firſt yeare he gathered a marvailous great maſſe of mony, by a benevolence, taking patterne by this kind of levie from *Edw.* 4th. But the King cauſed it firſt to be moved in Parliament, where it was allowed, becauſe the poorer ſort were therein ſpared. Yet it is true, that the King vſed ſome arte, for in his Letters he declared that hee would meaſure every mans affections by his gifts. In the thirteenth yeare hee had alſo a ſubſidy, whereupon the Corniſh men tooke Armes, as the Northern men of the Biſhopricke had done in the third yeare of the King.

Couns. It is without example, that ever the people have rebelled for any thing granted by Parliament, ſave in this Kings dayes.

Just. Your Lordſhip muſt conſider, that he was not overmuch belov'd, for he tooke many advantages vpon the people and the Nobility both.

Counsel. And I pray you what say they now of the new impositions lately laid by the Kings Majesty? doe they say that they are justly or unjustly laid?

Just. To impose upon all things brought into the Kingdome is very ancient: which imposing when it hath beene continued a certaine time, is then called Customes, because the subjects are accustomed to pay it, and yet the great taxe upon wine is still called Impost, because it was imposed after the ordinary rate of payment had lasted many yeares. But we doe now a dayes understand those things to bee impositions, which are raised by the command of Princes, without the advice of the Common-wealth, though (as I take it) much of that which is now called custome, was at the first imposed by Prerogative royall: Now whether it be time or consent that makes them just, I cannot define, were they just because new, and not justified yet by time, or unjust because they want a generall consent: yet is this rule of *Aristotle* verified in respect of his Majesty: *Minus timent homines injustum pati à principe quem cultorem Dei putant.* Yea my Lord, they are also the more willingly borne, because all the world knowes they are no new Invention of the Kings. And if those that advised his Majesty to impose them, had raised his lands (as it was offered them) to 20000*l.* more then it was, and his wards to as much as aforesaid, they had done him farre more acceptable service. But they had their own ends in refusing the one, and accepting the other. If the land had beene raised, they could not have selected the best of it for themselves: if the impositions had not been laid, some of them could not have their fikes, others peeces in farme, which indeed grieved the subject tenne times more then that which his Majesty enjoyeth. But certainely they made a great advantage that were the advisers, for if any tumult had followed his Majesty, ready way had beene to have delivered them over to the people.

Counsel. But thinke you that the King would have delivered them if any troubles had followed?

Just. I know not my Lord, it was (*Machiavels*) counsell to *Cæsar Borgia* to doe it, and *K. H.* the 8. delivered up *Empson* and *Dudley*, yea the same King when the great Cardinall *Woolsey*, who governed the King and all his estate, had (by requiring the sixth part of every mans goods for the King) raised a rebellion, the King I say disavowed him absolutely, that had not the Dukes of *Norfolke* and *Suffolke* appeased the people, the Cardinall had sung no more Masse: for these are the words of our Story: The King then came to *Westminster* to the Cardinals Palace, and assembled there a great Councell, in which he protested, that *his minde was never to aske any thing of his Commons, which might sound to the breach of his Lawes.* Wherefore hee then willed them to know by whose meanes they were so strictly given foorth. Now my Lord, how the Cardinall would have shifted himselfe, by saying, *I had the opinion of the Judges*, had not the rebellion beene appeas'd, I greatly doubt.

Cours. But good Sir, you blanch my question, and answer mee by examples. I aske you whether or no in any such tumult, the people pretending against any one or two great Officers, the King should deliver them, or defend them?

Just. My good Lord, the people have not staid for the Kings delivery, neither in *England* nor in *France*: Your Lordship knowes how the Chauncellour, Treasurer, and Chiefe Justice, with many others at severall times have been used by the Rebels: And the Marshals, Constables, and Treasurers in *France*, have been cut in pieces in *Charles* the sixth his time. Now to your Lordships question, I say that where any man shall give a King perilous advice, as may either cause a rebellion, or draw the peoples love from the King, I say that a King shalbe advised to banish him. But if the King doe absolutely command his servant to doe any thing displeasing to the Common-wealth, and to his own peril, there is the King bound in honour to defend him. But my good Lord for conclusion, there is no man in *England* that will lay

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any invention either grievous or against Law upon the Kings Majesty: And therefore your Lordships must share it amongst you.

Count. For my part, I had no hand in it, (I thinke) *Ingram* was he that propounded it to the Treasurer.

Just. Alas my good Lord every poore wayter in the Custome-house, or every promoter might have done it, there is no invention in these things. To lay impositions and sell the Kings lands, are poore and common devices. It is true that *Ingram* and his fellowes are odious men, and therefore his Majesty pleas'd the people greatly to put him from the Coffership. It is better for a Prince to use such a kinde of men, then to countenance them; hang-men are necessary in a Common-wealth: yet in the Netherlands, none but a hang-mans sonne will marry a hang-mans daughter. Now my Lord, the last gathering which *Henry* the seventh made, was in his twentieth yeare, wherein hee had another benevolence both of the Clergy and Laity, a part of which taken of the poorer sort, he ordained by his Testament that it should bee restored. And for King *Henry* the eighth, although hee was left in a most plentifull estate, yet hee wonderfully prest his people with great payments; for in the beginning of his time it was infinite that hee spent in Masking and Tilting, Banqueting and other vanities, before hee was entered into the most consuming expence of the most fond and fruitlesse warre that ever King undertooke. In his fourth yeare hee had one of the greatest subsidies that ever was granted; for besides two fifteenes and two dishes, hee used *Davids* Law of Capitation or head-money, and had of every Duke ten markes, of every Earle five pounds, of every Lord foure pounds, of every Knight foure markes, & every man rated at 8. l. in goods, 4. markes, and so after the rate: yea every man that was valued but at 40 l. paid 12 d. and every man and woman above 15. yeares 4 d. He had also in his sixth yeare divers subsedies granted him. In his fourteenth there was a tenth demanded of every mans goods, but it was moderated. In the Parliament following,

the Clergy gave the King [illegible] for one yeare, & of the Laity [illegible] which could not be levied in England, but it was marvellous great gift that the King had given him at that time. In the Kings seventeenth yeare was the Rebellion before spoken of, wherein the King disavowed the Cardinall. In his seventeenth yeare hee had the tenth and fifteenth given by Parliament, which were before that time paid to the Pope. And before that also, the monies that the King borrowed in his fifteenth yeere were forgiven him by Parliament in his seventeenth yeare. In his 35. yeare a subsidy was granted of 4d. the pound of every man worth in goods from 20s. to 5l. from 5l. to 10l. & upwards of every pound [illegible]. And all strangers, denisons and others doubled this summe, strangers not being inhabitants above 16. yeares, 4d. a head. All that had Lands, Fees, and Annuities, from 20. to 5l. and so double as they did for goods: And the Clergy gave 6d. the pound. In the thirty seventh yeare, a Benevolence was taken, not voluntary, but rated by Commissioners, which because one of the Aldermen refused to pay, he was sent for a soldier into *Scotland*. He had also another great subsidie of six shillings the pound of the Clergy, and two shillings eight pence of the goods of the Laity, and foure shillings the pound upon Lands.

Edw. 6. In the second yeare of *Edward* the sixth, the Parliament gave the King an aide of twelve pence the pound of goods of his natural subjects, and two shillings the pound of strangers, and this to continue for three years, and by the statute of the second and third of *Edward* the sixth, it may appeare, the same Parliament did also give a second ayde, as followeth, (to wit) of every Ewe kept in severall pastures, 3d. of every Wether kept as aforesaid, 2d. of every Sheepe kept in the Common, 1d. ob. The House gave the King also 8d. the pound of every woollen cloath made for the sale throughout *England* for three yeares. In the third and fourth of the King, by reason of the troublesome gathering of the polymony upon sheepe, and the taxe upon cloth, this act of subsidy

fidy was repeal'd, and other relief given the King, and in the Kings seaventh yeare hee had a subsidy and two fifteens.

In the first yeare of Queene *Maria*, Tunnage and Poundage were granted. In the second yeare a subsidy was given to King *Philip*, and to the Queene, shee had also a third subsidy *in Annis* 4. & 5. *M. R.*

Now my Lord, for the Parliaments of the late Queenes time, in which there was nothing new, neither head money, nor sheepe money, nor escuage, nor any of these kinds of payments was required but onely the ordinary subsidies, & those as easily graunted as demanded, I shall not needs to trouble your Lordship with any of them, neither can I informe your Lordship of all the passages and acts which have passed, for they are not extant, nor printed. *Eliz. R.*

Couns. No, it were but time lost to speake of the latter, and by those that are already remembred, we may iudge of the rest, for those of the greatest importance are publique. But I pray you deale freely with mee, what you thinke would be done for his Maiestie, if hee should call a Parliament at this time, or what would be required at his Maiesties hands?

Just. The first thing that would be required, would be the same that was required by the Commons in the thirteenth yeare of *H.* the 8: (to wit) that if any man of the commons house should speake more largely, then of duety hee ought to doe, all such offences to be pardoned, and that to be of record.

Couns. So might euery Companion speake of the King what they list.

Just. No my Lord, the reverence which a Vassall oweth to his Soveraigne, is always intended for every speech, howsoever it must import the good of the King, and his estate, and so long it may bee easily pardoned, otherwise not; for in Queene *Elizabeths* time, who gave freedome of speech in all Parliaments, when *Wentworth* made those moti-

motions, that were but supposed dangerous to the Queenes estate, he was imprisoned in the Tower, notwithstanding the priviledge of the house, and there dyed.

Cous. What say you to the *Sicilian vespers* remembred in the last Parliament?

Just. I say, hee repented him heartily that used that speech, and indeede besides that, it was seditious, this example held not: The *French* in *Sicily* usurped that Kingdome, they kept neither law nor faith, they tooke away the inheritance of the Inhabitants, they tooke from them their wives, and ravished their daughters, committing all other insolencies that could bee imagined. The Kings Majesty is the Naturall Lord of *England*, his Vassals of *Scotland* obey the English Lawes, if they breake them, they are punished without respect. Yea, his Majesty put one of his Barons to a shamefull death, for being consenting onely to the death of a Common Fencer: And which of these ever did or durst commit any outrage in *England*, but to say the truth, the opinion of packing the last, was the cause of the contention and disorder that happened.

Cous. Why sir doe you not think it best to compound a Parliament of the Kings servants and others, that shall in all obey the Kings desires?

Just. Certainely no, for it hath never succeeded well, neither on the Kings part, nor on the subjects, as by the Parliament before-remembred your Lordship may gather, for from such a composition doe arise all jealousies, and all contentions. It was practized in elder times, to the great trouble of the Kingdome, and to the losse and ruine of many. It was of latter time used by King *Henry* the eighth, but every way to his disadvantage. When the King leaves himselfe to his people, they assure themselves that they are trusted and beloved of their King, and there was never any assembly so barbarous, as not to answer the love and trust of their King. *Henry* the first when his estate was in effect utterly overthrowne, and utterly impoverished at

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he humble requeſt of his Treaſurer made the ſame knowne to the Houſe, or otherwiſe, uſing the Treaſurers owde words, *Hee humbly deſired the King to take his ſtaffe, that he might ſave his wardſhip.*

Couns. But you know, they will preſently bee in hand with thoſe impoſitions, which the King hath laid by his own Royall prerogative.

Just. Perchance not my Lord, but rather with thoſe impoſitions that have beene by ſome of your Lordſhips laid upon the King, which did not ſome of your Lordſhips feare more then you doe the impoſitions laid upon the Subjects, you would never diſſwade his Majeſty from a Parliament: For no man doubted, but that his Majeſtie was adviſed to lay thoſe impoſitions by his Councell; and for particular things on which they were laid, the advice came from petty fellowes (though now great ones) belonging to the Cuſtome-houſe. Now my Lord, what prejudice hath his Majeſtie (his revenue being kept up) if the impoſiitons that were laid by the advice of a few, be in Parliament laid by the generall Councel of the Kingdome, which takes off all grudging and complaint.

Couns. Yes Sir, but that which is done by the King, with the advice of his private or privie Councell, is done by the Kings abſolute power.

Just. And by whoſe power is it done in Parliament, but by the Kings abſolute power? miſtake it not my Lord: The 3. eſtates doe but adviſe, as the privy Councel doth, which advice if the King embrace, it becomes the Kings owne act in the one, & the Kings law in the other, for without the Kings acceptation, both the publike and private advices bee but as empty egge-ſhels; and what doth his Majeſty looſe if ſome of thoſe things, which concerns the poorer ſort be made free again, & the revenue kept up upō that which is ſuperfluous? Is it a loſſe to the K. to be beloved of the Commons? if it be revenue which the King ſeekes, is it not better to take it of thoſe that laugh, than of thoſe that cry? Yea, if all be content to pay upon a moderation and change of the Species:

Is it not more honorable & more ſafe for the King, that the Subject pay by perſwaſion, then to have them conſtrayned? If they be contented to whip themſelves for the King, were it not better to give them their Rod into their owne hands, then to commit them to the executioner? Certainely, it is farre more happie for a Soveraign Prince, that a Subject open his Purſe willingly, then that the ſame be opened by violence. Beſides that, when impoſitions are layd by Parliament, they are gathered by the authoritie of the Law, which (as aforeſaid) rejecteth all complaints, and ſtoppeth every mutinous mouth: It ſhall ever be my prayer, that the King embrace the Councell of honor and ſafetie, and let other Princes embrace that of force.

Couns. But good Sir, it is his Prerogative which the King ſtands upon, and it is the Prerogative of the Kings, that the Parliaments doe all diminiſh?

Just. If your Lordſhip would pardon me, I would ſay then, that your Lordſhips objection againſt Parliaments is ridiculous. In former Parliaments, three things have beene ſuppoſed diſhonour of the King. The firſt, that the Subjects have conditioned with the King, when the King hath needed them, to have the great Charter confirmed: The ſecond, that the Eſtates have made Treaſurers for the neceſſarie and profitable diſburſing of thoſe ſummes by them given, to the end, that the Kings, to whom they were given, ſhould expend them for their owne defence, and for the defence of the Common-wealth: The third, that theſe have preſt the King to diſcharge ſome great Officers of the Crowne, and to elect others. As touching the firſt, my Lord, I would faine learne what diſadvantage the Kings of this Land have had, by confirming the great Charter; the breach of which, have ſerved onely men of your Lordſhips ranke, to aſſiſt their owne paſſions, and to puniſh and impriſon at their owne diſcretion the Kings poore Subjects. Concerning their private hatred, with the colour of the Kings ſervice, for the Kings Majeſtie takes no mans inheritance (as I have ſaid before) nor any

any mans life, but by the Law of the Land, according to the Charter. Neither doth his Majestie imprison any man, (matter of practice, which concernes the preservation of his estate excepted) but by the Law of the Land. And yet he useth his Prerogative, as all the Kings of *England* have ever used it: for the supreme reason causes to practice many things without the advice of the Law. As in Insurrections and Rebellions, it useth the Marshall, and not the common Law, without any breach of the Charter, the intent of the Charter considered truely. Neither hath any Subject made complaint, or beene grieved, in that the Kings of this Land, for their owne safeties, and preservation of their estates, have used their Prerogatives, the great Ensigne, on which there is written *soli Deo*. And, my good Lord, was not *Buckingham* in *England*, and *Byron* in *France* condemned, their Peeres uncall'd? And withall, was not *Byron* utterly (contrary to the customes and priviledges of the *French*) denyed an Advocate, to assist his defence? for where Lawes fore-cast cannot provide remedies for future dangers, Princes are forced to assist themselves by their *Prerogatives*. But that which hath been ever grievous, and the cause of many troubles very dangerous, is, that your Lordships abusing the reasons of State, doe punish and imprison the Kings Subjects at your pleasure. It is you, my Lords, that when Subjects have sometimes need of the Kings Prerogative, doe then use the strength of the Law, and when they require the Law, you afflict them with the Prerogative, and tread the great Charter (which hath beene confirmed by 16. Acts of Parliament) under your feet, as a torne Parchment or wast Paper.

Coms. Good Sir, which of us doe in this sort breake the great Charter? Perchance you meane, that we have advised the King to lay the new imposition.

Just. No, my Lord, there is nothing in the great Charter against impositions: and besides that, necessitie doth perswade them. And if necessitie doe in somewhat excuse a private man *à fortiori*, it may then excuse a Prince. Againe, the

Kings Majeſtie hath profit and increaſe of Revenue by the impoſitions. But there are of your Lordſhips (contrarie to the direct Letter of the Charter) that impriſon the Kings ſubjects, and denie them the benefit of the Law, to the Kings diſprofit. And what doe you otherwiſe thereby (if the impoſitions be in any ſort grievous) but *Renovare dolores?* and withall digge out of the duſt the long-buried memorie of the ſubjects former intentions with their Kings.

COUNS. What meane you by that?

JUST. I will tell your Lordſhip when I dare: in the meane time it is enough for me, to put your Lordſhip in mind, that all the eſtates in the world, in the offence of the people, have either had profit or neceſſitie to perſwade them to adventure it; of which, if neither be urgent, and yet the ſubject exceedingly grieved, your Lordſhip may conjecture, that the Houſe will be humble ſuitors for a redreſſe. And if it be a Maxime in policie, to pleaſe the people in all things indifferent, and never ſuffer them to be beaten, but for the Kings benefit, (for there are no blowes forgotten with the ſmart but thoſe) then I ſay to make them vaſſals to vaſſals, is but to batter downe thoſe maſtering buildings, erected by King *Henry* the ſeventh, and fortified by his Sonne, by which the people and Gentlemen of *England* were brought to depend upon the King alone. Yea, my good Lord, our late deare Soveraigne kept them up, and to their advantage, as well repaired as ever Prince did; *Defend me, and ſpend me*, ſaith the *Iriſh* Churle. *Q. E.*

COUNS. Then you thinke, that this violent breach of the Charter will be the cauſe of ſeeking the confirmation of it in the next Parliament, which otherwiſe could never have been moved.

JUST. I know not my good Lord, perchance not; for if the Houſe preſſe the King to graunt unto them all that is theirs by the Law, they cannot (in juſtice) refuſe the King all that is his by the Law. And where will be the iſſue of ſuch a contention? I dare not divine, but ſure I am

that

that it will tend to the prejudice both of the K. and ſubject.

Coun. If they diſpute not their owne liberties, why ſhould they then diſpute the Kings liberties, which we call his Prerogative.

Just. Among ſo many and ſo diverſe ſpirits, no man can fore-tell what may be propounded; but howſoever, if the matter be not ſlightly handled on the Kings behalfe, theſe diſputes will ſoone diſſolve: for the King hath ſo little need of his Prerogative, and ſo great advantage by the Lawes, as the feare of impairing the one, to wit, the Prerogative, is ſo impoſſible, and the burthen of the other (to wit) the Law ſo weightie, as but by a branch of the Kings Prerogative, namely, of his remiſſion & pardon, the ſubject is no way able to undergoe it. This, my Lord, is no matter of flouriſh that I have ſaid, but it is the truth, and unanſwerable.

Couns. But to execute the Lawes very ſeverely, would be very grievous.

Just. Why, my Lord, are the Lawes grievous which our ſelves have required of our Kings? And are the Prerogatives alſo which our Kings have reſerved to themſelves, alſo grievous? How can ſuch a people then be well pleaſed? And if your Lordſhip confeſſe that the Lawes give too much, why does your Lordſhip urge the Prerogative, that gives more? Nay, I will be bold to ſay it, that except the Lawes were better obſerved, the Prerogative of a religious Prince hath manifold leſſe perils then the Letter of the Law hath. Now, my Lord, for the ſecond and third, to wit, for the appointing of Treaſurers, and removing of Counſellers, our Kings have evermore laught them to ſcorn that have preſt either of theſe, and after the Parliament diſſolved, tooke the Money of the Treaſurers of the Parliament, and recalled and reſtored the officers diſcharged, or elſe they have beene contented, that ſome ſuch perſons ſhould be removed at the requeſt of the whole kingdome, which they themſelves out of their noble natures would not ſeeme willing to remove.

Couns. Well Sir, would you notwithſtanding all theſe arguments, adviſe his Majeſtie to call a Parliament?

Just. It belongs to your Lordships, who enjoy the Kings favour, and are chosen for your able wisdome to advise the K. It were a strange boldnesse in a poore and private person, to advise Kings, attended with so understanding a Councell. But belike your Lordships have conceived some other way, how money may be gotten otherwise. If any trouble should happen, your Lordship knowes, that then there were nothing so dangerous for a King, as to be without money: a Parliament cannot assemble in haste, but present dangers require hastie remedies. It will be no time then to discontent the subjects, by using any unordinarie wayes.

Couns. Well Sir, all this notwithstanding, we dare not advise the King to call a Parliament; for if it should succeed ill, we that advise, should fall into the Kings disgrace. And if the King be driven into any extremitie, we can say to the K. That because we found it extremely unpleasing to his Majestie to heare of a Parliament, we thought it no good manners to make such a motion.

Just. My Lord, to the first let me tell you, that there was never any just Prince that hath taken any advantage of the successe of Counsels, which have beene founded on reason. To feare that, were to feare the losse of the Bell more then the losse of the Steeple, and were also the way to beat all men from the studies of the Kings service. But for the second, where you say you can excuse your selves upon the Kings owne protesting against a Parliament, the King upon better consideration may encounter that fineneſſe of yours.

Couns. How I pray you?

Just. Even by declaring himselfe to be indifferent, by calling your Lordships together, and by delivering unto you, that he heares how his loving subjects in generall are willing to supply him, if it please him to call a Parliament; for that was the common answer to all the Sheriffes in *England*, when the late benevolence was commanded. In which respect, and because you come short in all your projects, and because it is a thing most dangerous for a King to be without Treasure, he requires such of you, as either mislike, or rather

ther fear a Parliament, to ſet down your reaſons in writing, for which you either miſliked, or feared it. And ſuch as wiſh and deſire it, to ſet downe anſwers to your objections: And ſo ſhall the King prevent the calling or not calling on his Majeſtie, as ſome of your great Counſellers have done in many other things, ſhrinking up their ſhoulders, and ſaying, The K. will have it ſo.

Couns. Well Sir, it growes late, and I will bid you farewell; only you ſhall take well with you this advice of mine, that in all that you have ſaid againſt our greateſt, thoſe men in the end ſhalbe your Judges in their owne cauſe: you that trouble your ſelfe with reformation, are like to be well rewarded; for hereof you may aſſure your ſelfe, that we will never allow of any invention, how profitable ſoever, unleſſe it proceed, or ſeeme to proceed from our ſelves.

Just. If then, my Lord, we may preſume to ſay that Princes may be unhappy in any thing, certainely they are unhappy in nothing more then in ſuffering themſelves to be ſo incloſed. Againe, if we may beleeve *Pliny*, who tells us, that 'tis an ill ſigne of proſperity in any kingdome or State, where ſuch as deſerve well, find no other recompence then the contentment of their owne conſciences; a farre worſe ſigne is it, where the juſtly accuſed ſhall take revenge of the juſt accuſer. But, my good Lord, there is this hope remaining, that ſeeing he hath beene abuſed by them he truſted moſt, he will not for the future ſo diſhonour his judgement (ſo well informed by his owne experience) as to expoſe ſuch of his vaſſals (as have had no other motives to ſerve him, then ſimply the love of his Perſon and his Eſtate) to their revenge, who have onely beene moved by the love of their owne fortunes, and their glory.

Couns. But good Sir, the King hath not beene deceived by all.

Just. No, my Lord, neither have all beene truſted, neither doth the world accuſe all; but beleeve that there be among your Lordſhips very juſt and worthy men, aſwell of the Nobilitie as others, but thoſe though moſt honoured in the Common-

Common-wealth, yet have they not beene moſt imployed your Lordſhip knowes it well enough, that 3. or 4. of your Lordſhips have thought your hands ſtrong enough to beare up alone the weightieſt affaires in the Common-wealth, and ſtrong enough, all the land have found them to beate downe whom they pleaſed.

Couns. I underſtand you, but how ſhall it appeare that they have onely ſought themſelves.

Just. There needes no proſpective glaſſe to diſcerne it, for neither in the treaties of peace and warre, in matters of revenue, and matters of trade, any thing hath happened either of love or of judgement. No my Lord, there is not any one action of theirs eminent, great or ſmall, the greatneſſe of themſelves onely excepted.

Couns. It is all one, your papers can neither anſwer nor reply, we can. Beſides you tell the King no newes in delivering theſe complaints, for he knowes as much as can be told him.

Just. For the firſt my Lord, whereas hee hath once the reaſons of things delivered him, your Lordſhips ſhall needs to be well adviſed, in their anſwers there is no ſophiſtrie will ſerve the turn, where the Judge, & the underſtanding are both ſupreme. For the 2d, to ſay that his Majeſty knowes, & cares not, that my Lord were but to deſpaire all his faithfull ſubjects. But by your favour my Lord, we ſee it is contrary, wee finde now that there is no ſuch ſingular power as there hath beene, juſtice is deſcribed with a ballance in her hand, holding it even, and it hangs as even now as ever it did in any Kings daies, for ſingular authority begets but generall oppreſſion.

Couns. Howſoever it be, that's nothing to you that have no intereſt in the Kings favor, nor perchance in his opinion, & concerning ſuch a one, the miſliking, or but miſconceiving of any one hard word, phraſe, or ſentence, will give argumẽt to the K. either to condemn or reject the whole diſcourſe. And howſoever his Mty may neglect your informations, you may be ſure that others (at whom you point) wil not neglect their

their revenges, you will therefore confesse it (when it is too late) that you are exceeding sorry that you have not followed my advice. Remember Cardinall *Woolsey*, who lost all men for the Kings service, and when their malice (whom he grieved) had out-lived the Kings affection, you know what became of him as well as I.

Just. Yea, my Lord, I know it well, that malice hath a longer life then either love or thankfulnesse hath: for as we alwayes take more care to put off paine, then to enjoy pleasure, because the one hath no intermission, and with the other we are often satisfied; so it is in the smart of injurie and the memorie of good turnes: *Wrongs are written in Marble, Benefits are (sometimes) acknowledged, rarely requited.* But, my Lord, we shall doe the K. great wrong, to judge him by common rules, or ordinarie examples: for seeing his Majestie hath greatly enriched and advanced those that have but pretended his service, no man needes to doubt of his goodnesse towards those that shal performe any thing worthy reward. Nay, the not taking knowledge of those of his owne vassals that have done him wrong, is more to be lamented then the relinquishing of those that doe him right, is to be suspected. I am therefore, my good L. held to my resolution by these 2, besides the former. The 1. that God would never have blest him with so many years, and in so many actions, yea in all his actions, had hee paid his honest servants with evill for good. The 2. where your Lordship tells me, that I will be sorry for not following your advice. I pray your Lordship to beleeve, that I am no way subject to the common sorrowing of worldly men, this *Maxime* of *Plato* being true, *Dolores omnes ex amore animi erga corpus nascuntur.* But for my body, my minde values it at nothing.

Couns. What is it then you hope for or seeke?

Just. Neither riches, nor honour, nor thanks, but I onely seeke to satisfie his Majesty (which I would have beene glad to have done in matters of more importance) that *I have liv'd, and will dye an honest man.*

FINIS.

The Authors Epitaph, made by himſelfe.

EVen ſuch is Time, which takes in truſt
Our Youth, and Joyes, and all we have,
And payes us but with age and duſt,
Which in the darke and ſilent grave,
When we have wandred all our wayes,
Shuts up the ſtory of our dayes:
And from which Earth, and Grave, and Duſt,
The Lord ſhall raiſe me up I truſt.